



**Cumberland
Council**

Planning Validation Checklist Guidance

Final: **Add date**

National and Local Checklist for Planning Validation –
May 2025

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Introduction

This document should be used by applicants and agents when submitting planning and other related applications to Cumberland Council.

Depending on your proposal, you are required to submit supporting information. These provide technical or other information we will need to validate your application.

Failure to provide the correct documents may result in your application being returned to you, or you may be asked to submit additional information as an amendment.

You can also read guidance on making a valid application via the following link:
[Making an application - GOV.UK](#)

Part 1 sets out the mandatory national information requirements that are required in order to validate an application.

Part 2 sets out additional information (the “Local List”) that Cumberland require in order to validate an application.

Part 3 sets out information (the “Local List”) in relation to Minerals and waste in order to validate an application.

[Appendix A](#) contains Window pro-forma to be completed and submitted with replacement window applications

[Appendix B](#) contains Door pro-forma to be completed and submitted with replacement doors applications.

[Appendix C](#) contains pro-forma to be completed and submitted with application for installation of a Biomass Boiler

[Appendix D](#) contains pro-form to be completed and submitted with application for past contamination uses

[Appendix E](#) contains pro-form to be completed and submitted with application for Flood Risk Assessments Minor Development

[Appendix F](#) contains Foul Drainage Assessment Form to be completed and submitted with applications

[Appendix G](#) contains guidance on information requirements for heritage statements.

[Appendix H](#) Housing Standards Form to be completed and submitted with application to demonstrate compliance with Building Regulation M(4)2 and M4(3)

The Validation Process

When a valid application is received an acknowledgement letter will be sent to the applicant or agent (if applicable). This will normally be sent by email, where an email address is given, or by 2nd Class post otherwise. We aim to do this within 5 days of receiving an application.

If an application is incomplete or incorrect, we will let you know within 5 days what information is needed to validate the application. The application will be cancelled after 28 days if the additional information or alterations are not received. If a fee has been submitted, it will be refunded. We will communicate by email, where an email address is given, or by 2nd Class post otherwise.

The Council welcomes pre-application discussions, particularly for more complicated applications, to help ensure that the right information is submitted. There is a fee applicable for pre-application discussions. More information about our pre-application service can be found at the following link:

[Pre-application advice | Cumberland Council](#)

Part 1 – Mandatory National Requirements

1. Application Form

The standard 1APP form on the Planning Portal can be used for applications for all permissions, including for waste proposals.

For new Minerals proposals (including associated Minerals Waste), a separate Minerals Application form should be completed. In addition, there is a Supplementary Information Form which needs to be completed. This asks more detailed questions on mineral extraction, processing, disposal of mining and quarry waste, minerals exploration and oil and gas, and includes a mandatory section for all proposals on the environmental effects of the development. This section lists a range of potential impacts and asks for confirmation that relevant documentation to address that issue has been submitted with the application.

Applicants are encouraged to apply electronically. However, online submission of supporting information may not always be possible. In these circumstances, information can be submitted to us in hard copy, or electronically.

Applications submitted electronically do not need to be accompanied by any further copies either of the application or accompanying information.

Applicants who apply on a paper copy of the standard application form only need to provide one copy of a completed form and accompanying information.

[Making an application - GOV.UK](#)

2. Certificate of Ownership

A certificate must be completed; this provides certain details about the ownership of the application site and confirms that an appropriate notice has been served on any other owners (and agricultural tenants). The forms of notice are in the amended Schedule 2 to the Town and Country Planning (Development Management Procedure (England) (Order) 2015).

An application is not valid and therefore cannot be determined unless the relevant certificate has been completed. It is an offence to complete a false or misleading certificate, either knowingly or recklessly, with a maximum fine of up to £5,000.

- **Certificate A** – Sole Ownership and no agricultural tenants. This should only be completed if the applicant is the sole owner of the land to which the application relates (including access) and there are no agricultural tenants.
- **Certificate B** – Shared Ownership (All other owners/agricultural tenants known). This should be completed if the applicant is not the sole owner, or if there are agricultural tenants, and the applicant knows the names and address of all the other owners and or agricultural tenants. This may include occasions when part of the foundations etc. encroaches on a neighbour's

land. Leaseholders with 7 or more years' unexpired lease should be included as owners.

- **Certificate C** – Shared Ownership (Some of the owners/agricultural tenants known). This should be completed if the applicant does not own all of the land to which the application relates and does not know the name and address of all the owners and/or agricultural tenants. This may be applicable if the access to the site is via a shared access.
- **Certificate D** – Shared Ownership (None of the other owners/agricultural tenants known). This should be completed if the applicant does not own all of the land to which the application relates and does not know the names of any of the owners and/or agricultural tenants.

An 'owner' is anyone with a freehold interest, or leasehold interest the unexpired term of which is not less than 7 years. In the case of development consisting of the winning or working of minerals, a person entitled to an interest in a mineral in the land is also an owner.

An 'agricultural tenant' is a tenant of an agricultural holding, any part of which is comprised in the land to which the application relates.

In accordance with Certificate C or D, an advertisement must be published in a local newspaper after the prescribed date. The prescribed date is the day 21 days before the date of the application.

[Making an application - GOV.UK](#)

[The Town and Country Planning \(Development Management Procedure\) \(England\) Order 2015](#)

3. Application Fee

Payment of the full fee on submission of the application.

Payment can be made via the website or telephone. We accept card payments or BACS transfer. Please refer to the below fee schedule for more information:

If confirmation of a fee is required, please contact the Technical Team at:

Allerdale Area planning1@cumberland.gov.uk

Carlisle Area EDA@cumberland.gov.uk

Copeland Area development.control3@cumberland.gov.uk

[A Guide to the Fees for Planning Applications in England](#)

Calculate your planning fee via [Planning Portal](#)

4. Site Location Plan

The National requirements are for a location plan that shows the application site in relation to the surrounding area. This should be an up-to-date Ordnance Survey based plan:

- drawn to a metric scale of 1:1250. If the site is very large or remote, a smaller scale may be used (1:2500)
- scaled to fit either A4 or A3 paper
- show the direction of North
- identify sufficient roads and/or buildings on land adjoining the application site to ensure that the exact location of the application site is clear
- the application site should be clearly edged in red.

The red line should include all the land necessary to carry out the proposed development.

- for access to the site from a public highway
- for installation of non-mains drainage (including pipework and soakaways)
- visibility splays
- landscaping
- car parking/vehicle turning areas
- open areas around buildings
- Biodiversity Net Gain

Any adjacent land or property within the applicant's ownership or control should be edged in blue.

5. Design and Access Statement

A Design and Access Statement (DAS) is a concise report accompanying and supporting a planning application.

A Design and Access Statement must explain the design principles and concepts that have been applied to the proposed development. It must also demonstrate how the proposed developments context has influenced the design.

Design and Access Statements must also explain the applicant's approach to access and how relevant Local Plan policies have been taken into account. They must detail any consultation undertaken in relation to access issues and how the outcome of this consultation has informed the proposed development. Applicants must also explain how any specific issues which might affect access to the proposed development have been addressed.

The level of detail in a Design and Access Statement should be proportionate to the complexity of the application.

A Design and Access Statement will be required for:

- All major developments (Erection of 10 or more dwellings, development of more than 1,000 square metres or site area of more than one hectare).
- Applications for development in a designated area (World Heritage Site or a Conservation Area) as outlined in the amended Development Management Procedure Order 2015 where the proposed development consists of one or more dwellings; or a building or buildings with a floor space of 100 square metres or more.
- Applications for listed building consent.

Design and Access Statements accompanying applications for listed building consent must include an explanation of the design principles and concepts that have been applied to the proposed works, and how they have taken account of:

- a) The special architectural or historic importance of the listed building;
- b) The particular physical features of the building that justify its designation as a listed building; and
- c) The building's setting.

Unless the proposed works only affect the interior of the building, Design and Access Statements accompanying applications for listed building consent must also explain how issues relating to access to the building have been dealt with. They must explain the applicant's approach to access, including what alternative means of access have been considered and how relevant Local Plan policies have been taken into account. Statements must also explain how the applicant's approach to accesses takes account of matters (a)-(c) above.

Design and Access Statements accompanying applications for listed building consent must provide information on any consultation undertaken, and how the outcome of this consultation has informed the proposed works. Statements must also explain how any specific issues which might affect access to the building have been addressed.

[National Planning Policy Framework - GOV.UK](#)

[Making an application - GOV.UK](#)

6. Environmental Impact Assessment

The aim of Environmental Impact Assessment (EIA) is to protect the environment by ensuring that when we decide whether to grant planning permission for a project, which is likely to have significant effects on the environment, we do so in the full knowledge of the likely significant effects and take this into account when making a decision.

The regulations set out a procedure for identifying those projects which should be subject to an Environmental Impact Assessment, and for assessing, consulting and coming to a decision on those projects which are likely to have significant

environmental effects. An Environmental Impact Assessment will also ensure that the public are given early and effective opportunities to participate in the decision-making procedures.

Screening Opinion:

If you are unsure whether a proposal requires an Environmental Impact Assessment (EIA) you may submit a request for a Screening Opinion.

Section 6(2) of the EIA Regulations sets out the information to be submitted:

- (a) a plan sufficient to identify the land;
- (b) a description of the development, including in particular—
 - (i) a description of the physical characteristics of the development and, where relevant, of demolition works;
 - (ii) a description of the location of the development, with particular regard to the environmental sensitivity of geographical areas likely to be affected;
- (c) a description of the aspects of the environment likely to be significantly affected by the development;
- (d) to the extent the information is available, a description of any likely significant effects of the proposed development on the environment resulting from—
 - (i) the expected residues and emissions and the production of waste, where relevant; and
 - (ii) the use of natural resources, in particular soil, land, water and biodiversity; and
- (e) such other information or representations as the person making the request may wish to provide or make, including any features of the proposed development or any measures envisaged to avoid or prevent what might otherwise have been significant adverse effects on the environment.
 - (i) a description of the location of the site, with particular regard to the environmental sensitivity of geographical areas likely to be affected;

When we receive the request for a screening opinion we will consult with relevant organisations and reply to the request within 21 days. If we consider that the proposal could have significant effects on the environment we will require an Environmental Impact Assessment to be submitted with the planning application. We will let you know the outcome of the screening opinion in writing.

Scoping Opinion:

If you are sure that a proposal is an Environmental Impact Assessment Development (by virtue of either Schedule 1 or Schedule 2 of the Regulations) or from the results of a screening opinion, then you may submit a scoping opinion.

You will need to include the following information with your request:

- site location plan (1:1250 or 1:2500)
- description of the proposal and its possible effects on the environment

The request should provide sufficient information so that we can agree the scope of the Environmental Impact Assessment. We will consult all relevant specialists and the developer as part of the process. We must issue the scoping opinion within 5 weeks.

This period may be extended if the developer agrees in writing. We will then confirm what we consider to be the main effects of the development and the topics that the environmental statement should cover. This does not prevent us from requesting additional information as part of the EIA process.

[Environmental Impact Assessment - GOV.UK](#)

7. Outline Planning Applications

Information about the proposed use or uses, and the amount of development proposed for each use, is necessary to allow consideration of an application for outline planning permission.

Under article 5(3) of the Development Management Procedure Order 2015, an application for outline planning permission must also indicate the area or areas where access points to the development will be situated, even if access has been reserved.

8. Demolition

A site notice is required for all demolition prior approval applications.

In accordance with Schedule 2, Part 11 of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), it is the responsibility of the applicant to post a site notice which must be left in place for at least 21 days during the period of 28 days from the date on which the prior approval application is submitted to the Council.

Confirmation of the date on which the site notice is to be posted on site (and the location of the site notice) is required, along with a copy of the notice.

9. Fire Statement

Fire statements will support the consideration of information on fire safety matters as they relate to land use planning matters (e.g. site layout, water supplies for firefighting purposes and access for fire appliances) for schemes involving a relevant high-rise building.

Relevant buildings:

- contain two or more dwellings or educational accommodation and
- meet the height condition of 18 metres or more in height, or 7 or more storeys.

'Dwellings' includes flats, and 'educational accommodation' means residential accommodation for the use of students boarding at a boarding school or in later stages of education (for definitions see article 9A(9) of the Town and Country Planning Development Management (England) Procedure Order 2015 as amended by article 4 of the 2021 Order.

Fire statements must be submitted on a [form published by the Secretary of State](#) (or a form to similar effect) contain the particulars specified or referred to in the form, which includes information about (not exhaustive list):

- the principles, concepts and approach relating to fire safety that have been applied to each building in the development
- the site layout
- emergency vehicle access and water supplies for firefighting purposes
- what, if any, consultation has been undertaken on issues relating to the fire safety of the development; and what account has been taken of this
- how any policies relating to fire safety in relevant local development documents have been taken into account.

Where to look for further Guidance:

[Fire safety and high-rise residential buildings \(from 1 August 2021\) - GOV.UK](#)

Part 2 – Local Requirements

Introduction

In addition to the National Validation requirements the following criteria outline the details for Cumberland local list for validation purposes.

Each requirement includes its purpose, trigger and requirements, plus relevant current planning policy context and where appropriate other sources of information.

Applicants must note that the absence of a document being required to validate an application does not mean that it will not be required by the Authority prior to determination of the application.

Such a requirement may be informed by a response from a statutory consultee. It is therefore advised that applicants engage with the Authority and consultees at a pre-application stage to establish what documents will be necessary for a positive determination of the application. The lack of submission of such documents could result in the refusal of the application.

1. Drawings and Plans

Reasons for requirement

Article 7(1)(c)(ii) of the amended Town and Country Planning (Development Management Procedure (England) (Order) 2015 requires that plans, drawings and information are submitted which are necessary to describe the development which is the subject of the application.

For most applications, clarity is not only necessary but beneficial to the applicant to know what is expected to validate an application.

When is it required?

- Site Layout Plan – should be included within all development proposals for new buildings, extensions and changes of use involving external extensions or the provision of facilities e.g., parking within the curtilage, bin storage on commercial proposals.
- Existing and Proposed Elevations – required for any new building or external alterations.
- Floor Plans – required for any new buildings, extensions or change of use.
- Site Sections OR Existing and Proposed Datum Levels (Above Ordnance Datum (AOD)) – required for a proposed change in site levels, including when a detached building is proposed.
- Window/Door Sections or Details - required for Listed Building Applications and developments mentioned in Appendices A and B (see below).

What is required?

Plans should be labelled with a drawing number, title and scale

Existing and Proposed Site Layout Plan (Block Plan)

This should be drawn to a scale of 1:500 or 1:200 and should accurately show:

- The direction of North.
- The existing building and the proposed development in relation to the site boundaries and other existing buildings on the site.
- All the buildings, roads, parking and footpaths on the site and where necessary on land adjoining the site, including access arrangements including visibility splays;
- Any existing water courses where surface water drainage will be connecting.
- The species, position, crown spread and root protection area of all trees within the application site, including those covered by a Tree Preservation Order or within a Conservation Area.

For Minerals and Waste proposals the site plan would normally be at a scale of 1:2500 although larger scale plans may be appropriate in some cases.

In addition to the above, site plans for Minerals and waste proposals would be expected to include the following as appropriate:

- Any land within or adjacent the site which has been used for mineral working or associated development, including the position of working/tipping faces, areas restored and any planning permission references where known;
- Existing contours at appropriate levels (intervals of no less than 10 metres) within and normally for a distance of at least 250m outside of the site to the surrounding topography. For oil and gas, greater distances of at least 500m outside the site are necessary;
- Location and size of any proposed plant, machinery and buildings;
- Location and height of any outside bays;
- Location and height of any stockpiles, soil storage mounds and screening bunds;
- Maximum extent of any soil stripping and storage or other changes to ground level.

Existing and Proposed Elevations

Elevation drawings show what a building will look like from the outside

Most applications will need both existing and proposed elevations metric scale of 1:100 or 1:50 and shall include:

- Drawing must be clearly annotated (existing and proposed) and (front, rear etc. or north, south etc).
- Show all elevations of the building to be erected, altered or extended.
- All sides of the development must be shown, and these should indicate, the proposed building materials and the style, materials and finish of windows and doors where appropriate.
- Blank elevations must also be included if only to show that this is in fact the case.
- Where an elevation adjoins another building or is in close proximity, the drawings should clearly show the relationship between the buildings and detail the position of the doors and windows on each property.
- For conversion schemes show the extent of rebuild required.

Existing and Proposed Floor Plans

Floor Plans show the internal layout of a building. These should be drawn to a scale of 1:50 or 1:100 and show:

- Existing or proposed works in relation to what is already there;
- Extent of any demolition/rebuild works proposed;
- Label each room and include position of for example, windows, doors or stairs.

Existing and Proposed Site Sections, Cross Sections and Finished Floor/Site Levels

Site section plans or topographical survey plans should be provided for all applications where the application site is sloping or uneven. They will also be needed when the application site adjoins land on a different level or where any change in ground levels is proposed. These should be drawn to a scale of 1:50 or 1:100 (1:200 or 1:500 for major development sites) and show:

Floor and site levels:

- Show existing and proposed site levels and the relationship of the proposed development to adjacent sites and buildings
- Include spot ground levels at prominent features and/or contours
- Specify a fixed and identifiable datum point
- Demonstrate how the proposed development will fit within the site
- Show north point

Cross Sections

- Cross section(s) through the proposed building(s)
- Show finished floor and ridge levels of buildings
- Show existing and proposed ground levels where significant engineering or cut and fill operations are proposed
- Show the points where cross-sections have been taken on a site layout plan

- Confirmation when proposed developments will/ will not alter existing site levels

Street scene or contextual drawings

Drawings showing elevations in the context of the street scene may be required to show the integration of the proposed design into the existing neighbourhood. These are usually only required for new buildings that are visible from the road or major applications. These should be drawn to a scale of 1:100 or 1:200 and show:

- Show the height and outline of neighbouring buildings and position and size of windows and doors
- Show any difference in finished floor levels
- Annotated to show the direction the street scene faces

Existing and Proposed Roof Plans

Roof plans show the design of the roof from above and are needed when roof alterations are proposed. Existing and proposed roof plans are normally required metric scale. These should be to a scale of 1:50 or 1:100 and show:

- positions of, for example: valley gutters, roof lights, solar panels, sun tunnels or chimneys

Window/Door Sections or Details

- Completion of Form in [Appendix A \(window details\)](#) and [Appendix B \(door details\)](#).
- Full details at a scale of no less than 1:20 will be required for works to Listed Building including section drawings.

Listed Buildings

For works to Listed Building along with scaled drawings the following information will be required:

- Condition Survey for any windows/door to be replaced including photographs
- Schedule of works or method statement

2. Affordable Housing Statement

Reasons for requirement

To assess the provision of local affordable housing provision as part of any residential development scheme in the context of Council planning policies and national Policies.

When is it required?

- All housing development of more than 10 dwellings.
- The site has an area of 0.5 hectares.
- 5 units or more within the Whitehaven Rural sub-area.

- 6 units or more within Zone A of Carlisle Local Plan

What is required?

Where a local affordable housing need has been identified by the Council, an affordable housing statement is required relating to the provision of affordable housing including:

- The total number of residential units
- the number of affordable units; number of bedrooms and property types across all tenures to demonstrate representative mix of unit types and sizes.
- Plan or schedule showing the location of units (to be dispersed in clusters across the development) excluding outline applications unless layout is not reserved for subsequent approval.
- The different levels or types of affordability or tenure proposed for different units. This should be clearly and fully explained in line with policy expectation.
- Explanation of how the affordable units will be managed.
- Background and justification for the proposed approach detailed in the statement to demonstrate accordance with policy.

A financial viability report will be required where the affordable housing provision is below the policy requirement.

Please note that all viability assessments and reports will be published on the council's website in accordance with the requirements of paragraph 59 of the National Planning Policy Framework.

Policy References and Further Guidance

Local

Allerdale Local Plan (Part 2) 2020:

- Policy SA3: Affordable Housing

Carlisle District Local Plan 2015-2030

- Policy HO 4: Affordable Housing

Former Carlisle City Council Affordable and Specialist Housing Supplementary Planning Document October 2019

Copeland Local Plan 2021-2039

- Strategic Policy H8: Affordable Housing

National

National Planning Policy Framework:

- Chapter 5 Delivering a sufficient supply of homes, Paragraphs 63-66

3. Agricultural/Rural/Forestry Appraisal

Reasons for requirement

To provide a policy framework to guide when a new dwelling may be acceptable in the open countryside to meet the needs of agriculture and rural businesses.

When is it required?

Any proposal for a permanent or temporary agricultural, rural or forestry worker's dwelling.

What is required?

An appraisal together with appropriate evidence by a competent person which demonstrates an essential employment need.

The appraisal should be confined to a factual statement of the agricultural, rural or forestry business considerations involved and an evaluation of the essential need for the dwelling based on both a functional and financial need.

Policy References and Further Guidance

Local

Allerdale Local Plan (Part 1) 2014

- Policy S3: Spatial Strategy and Growth
- Policy DM2: Rural Workers Dwelling

Carlisle District Local Plan 2015-2030

- Policy SP 2: Strategic Growth and Distribution
- Policy HO 6: Other Housing in the Open Countryside

Copeland Local Plan 2021-2039

- Policy H16: Essential Dwellings for Rural Workers

National

National Planning Policy Framework:

- Chapter 5 Delivering a sufficient supply of homes, Paragraph 84

4. Archaeology Evaluation and Impact Assessment / Historic Building Record

Reasons for requirement

To assess the archaeological value of any individual site to determine the impact the proposed development will have on the archaeological value of the site and

demonstrate appropriate mitigation to safeguard aspects of archaeological significance.

When is it required?

- Archaeological Assessment – Proposals directly affecting Scheduled Ancient Monuments (including the Hadrian's Wall World Heritage Site or within close proximity to the World Heritage Site i.e., within its visual impact/buffer zone).
- A Historic Building Record – When the loss of a designated heritage asset is proposed or substantial change e.g., the demolition or conversion of a listed building.

What is required?

Archaeological Assessment

Assessments will be required for all proposals involving the disturbance of ground within an area of known archaeological interest. If advice is needed about archaeological sites you should contact The Historic Environment Service. National planning policy emphasises the need to carry out an appropriate desk based assessment. A desk-based archaeological assessment and/or field evaluation may be necessary if an application site includes (or has the potential to include) or affect heritage assets with archaeological interest (designated or not).

The information should include plans showing historic features, listed buildings and structures, historic parks and gardens, historic battlefields and scheduled ancient monuments, an analysis of significance of archaeological, history and character of the building or structures, together with the principles of and justification for proposed work.

This will ensure that appropriate measures are put in place to manage the investigation, recording, analysis and preservation of any remains or otherwise mitigate the effect of the development on areas of archaeological interest.

Historic Building Record

The County Archaeologist will provide a specification for the building assessment and recording for the applicant which sets out what is required.

The assessment and recording must be undertaken by an experienced, professional archaeologist or buildings historian. This is a programme of work to establish the character, history, dating, form and archaeological development of a specified building, structure or complex and its setting.

The purpose of the recording is not only to provide an archive record of the building as it is, but also to advise the proposed scheme by identifying those parts of the building which are most significant and should be retained in the conversion process.

It will be used to formulate a strategy for the conservation, alteration, demolition, repair or management of a building and to seek a better understanding, compile a lasting record, analyse the findings and then disseminate the results.

Policy References and Further Guidance

Local

Allerdale Local Plan (Part 1) 2014

- Policy S27: Heritage Assets
- Policy S28: Hadrian's Wall World Heritage Site

Carlisle District Local Plan 2015-2030

- Policy SP 7: Valuing our Heritage and Cultural Identity
- Policy HE 1: Hadrian's Wall World Heritage Site
- Policy HE 2: Scheduled Ancient Monuments and Non-Designated Archaeological Assets
- Policy HE 5: Historic Battlefields
- Policy HE 6: Locally Important Heritage Assets

Copeland Local Plan 2021-2039

- Strategic Policy BE1: Heritage Assets
- Policy BE2: Designated Heritage Assets
- Policy BE3: Archaeology

National

National Planning Policy Framework:

- Chapter 16 Conserving and enhancing the historic environment

5. Biodiversity Net Gain

Reasons for requirement

Biodiversity net gain is a way of creating and improving biodiversity by requiring development to have a positive impact ('net gain') on biodiversity.

This objective is for development to deliver at least a 10% increase in biodiversity value relative to the pre-development biodiversity value of the onsite habitat. This increase can be achieved through onsite biodiversity gains, registered offsite biodiversity gains or statutory biodiversity credits.

When is it required?

Biodiversity Net Gain (BNG) has applied to most new major development under the Town and Country Planning Act since 12 February 2024 and to small sites since 2 April 2024.

The exemptions where BNG is not required can be found at:

[Biodiversity net gain: exempt developments - GOV.UK](#)

What is required?

The application must be accompanied by the following information:

- confirmation that the applicant believes that planning permission, if granted, the development would be subject to the biodiversity gain condition
- the pre-development biodiversity value(s), either on the date of application or earlier proposed date (as appropriate)
- where the applicant proposes to use an earlier date, this proposed earlier date and the reasons for proposing that date
- [the completed metric calculation tool](#) showing the calculations of the pre-development biodiversity value of the onsite habitat on the date of application (or proposed earlier date) including the publication date of the biodiversity metric used to calculate that value
- a statement whether activities have been carried out prior to the date of application (or earlier proposed date), that result in loss of onsite biodiversity value ([‘degradation’](#)), and where they have:
 - a statement to the effect that these activities have been carried out
 - the date immediately before these activities were carried out
 - the pre-development biodiversity value of the onsite habitat on this date
 - the completed metric calculation tool showing the calculations, and
 - any available supporting evidence of this
- a description of any [irreplaceable habitat](#) (as set out in [column 1 of the Schedule to the Biodiversity Gain Requirements \(Irreplaceable Habitat\) Regulations 2024](#)) on the land to which the application relates, that exists on the date of application, (or an earlier date); and
- plan(s), drawn to an identified scale and showing the direction of North, showing onsite habitat existing on the date of application (or earlier proposed date), including any irreplaceable habitat (if applicable).

In order to fulfil the National Planning Policy Framework requirement for net gain in biodiversity, the DEFRA biodiversity metric calculation should show a net positive score.

Policy References and Further Guidance

National

National Planning Policy Framework

- Chapter 15 Conserving and Enhancing the natural Environment, Paragraphs 187, 192- 193

National Planning Policy Guidance:

[Biodiversity net gain - GOV.UK](#)

6. Biomass Boiler Statement

Reasons for requirement

Used to assess the impacts of the proposed development on the air quality, either in isolation or cumulatively with other developments.

When is it required?

All developments including the installation of new biomass boilers must complete a biomass questionnaire ([Appendix C Biomass Boiler](#)). In common with other types of combustion appliances, biomass boilers are potentially a source of air pollution. These pollution emissions can have an impact on local air quality and affect human health. It is essential that any new biomass boilers installed in our district meet certain emission control requirements in order to protect local air quality.

Policy References and Further Guidance

National

[Biomass policy statement: a strategic view on the role of sustainable biomass for net zero - GOV.UK](#)

[Planning permission - Biomass fuelled appliances - Planning Portal](#)

7. Coal Mining Risk Assessment

Reasons for requirement

There is a legacy of past coal mining activity in the region. In order to ensure coal mining related land stability issues are assessed in planning applications, a Coal Mining Risk Assessment will be required.

When is it required?

This is required for development which will involve excavation in the defined Development High Risk Areas as identified by the Mining Remediation Authority and held by the Local Planning Authority.

There are some exemptions which are included in the below Mining Remediation Authority Exemptions List:

<https://www.gov.uk/guidance/planning-applications-coal-mining-risk-assessments>

What is required?

The Coal Mining Risk Assessment should be prepared by a competent, qualified person and should address the following issues:

- a) A summary of the mining information relevant to the application site (including past/present/future underground mining, shallow coal working, mine entries

(shafts or adits), mine gas within an area which has a licence to extract coal, geological features, any recorded surface hazards, or within a former or present surface mining (old open cast);

- b) Identify what risks these coal mining features, including cumulative effects, pose to the proposed development;
- c) Identify how coal mining issues have influenced the proposed development and whether any other investigations, remedial works and/or mitigation measures are required to manage those risks and whether any changes have been incorporated into the development.

Any development that involves intrusive activities which intersect, disturb or enter coal seams, coal mine workings or mine entries will require the prior written permission of the Permitting and Licensing Team at the Mining Remediation Authority.

Policy References and Further Guidance

Local

Allerdale Local Plan (Part 1) 2014

- Policy S30: Reuse of Land

Carlisle District Local Plan 2015-2030

- Policy CM 5: Environmental and Amenity Protection

Copeland Local Plan 2021-2039

- Policy DS8: Soils, Contamination and Land Stability

National

National Planning Policy Framework:

- Chapter 15 Conserving and enhancing the natural environment, Paragraphs 187, 196 and 197

8. Contamination Form

Reasons for requirement

The varied activities and uses of farms or commercial uses over the years can in some cases lead to land contamination issues, which need to be resolved prior to a change to residential occupation.

When is it required?

For conversion of agricultural/commercial/unused buildings to residential.

What is required?

Completion of [Appendix D past contaminations issues](#).

Policy References and Further Guidance

Local

Allerdale Local Plan (Part 1) 2014

- Policy S3: Spatial Strategy and Growth
- Policy S30: Reuse of Land
- Policy S31: Reuse of Rural Buildings & Replacement Dwellings in the Countryside

Carlisle District Local Plan 2015-2030

- Policy HO 6: Other Housing in the Open Countryside
- Policy CM 5: Environmental and Amenity Protection

Copeland Local Plan 2021-2039

- Policy DS4: Design and Development Standards
- Policy DS8: Soils, Contamination and Land Stability

9. Contaminated Land Assessment

Reasons for requirement

Used to safeguard human health and the environment, including controlled waters. The contaminated land report should evaluate any risks arising from potential contamination and set out remediation measures to be considered on the basis of both the existing and proposed land use.

When is it required?

Where the land is known or suspected to be contaminated or where the development site is close to such land and ground works are proposed.

Where the end user of the development is considered to be sensitive to contamination (for example: housing, schools, nurseries, hospitals, open space, children's play areas, allotments and highly sensitive groundwater used for potable supply).

What is required?

For validation purposes a Stage One desk study, site walkover and preliminary risk assessment is the minimum requirement.

Contents of a contaminated land assessment:

This information is required to determine the existence of contaminated land, the nature of the contamination and the risks it may pose to the proposed development and whether remedial measures are feasible to reduce the contamination to an acceptable level.

Uses and land highly likely to be contaminated:

- smelters, foundries, steel works, metal processing and finishing works
- coal and mineral mining and processing, both deep mines and opencast
- heavy engineering works (car manufacture, shipbuilding)
- military related activities
- electrical and electronic equipment manufacture and repair
- gasworks, coal processing plants and power stations
- oil refineries, petroleum storage and distribution sites
- manufacture and use of asbestos, cement, lime and gypsum
- manufacture of organic and inorganic chemicals, including pesticides, acids, alkalis, pharmaceuticals, solvents, paints, detergents and cosmetics
- rubber industry, including tyre manufacture
- munitions and explosives production and testing and storage sites
- glass making and ceramics manufacture
- textile industry, including tanning and dyestuffs
- paper and pulp manufacture, printing works and photographic processing
- timber treatment
- food processing industry and catering establishments
- railway depots, dockyards (including filled dock basins), garages, road haulage depots and airports
- landfill, storage and incineration of waste
- sewage works, farms, stables and kennels
- abattoirs, animal waste processing and burial of diseased livestock
- scrap yards
- dry cleaning premises
- all types of laboratories

Uses and land might possibly be contaminated:

- industry involving radioactive substances
- burial sites and graveyards
- agriculture – excessive use of pesticides, herbicides, fungicides, sewage sludge and farm waste
- naturally occurring radioactivity (including radon)
- naturally occurring concentrations of metals and other substances
- methane and carbon dioxide production and emissions in coalmining areas, wetlands, peat moors or former wetlands

The investigation and risk assessment of contaminated land is split into three stages:

- Desk study, site walkover and preliminary risk assessment.
- Intrusive site investigation and detailed risk assessment.
- Remediation strategy, risk management, validation report and monitoring.

Policy References and Further Guidance

Local

Allerdale Local Plan (Part 1) 2014

- Policy S3: Spatial Strategy and Growth
- Policy S30: Reuse of Land
- Policy S31: Reuse of Rural Buildings & Replacement Dwellings in the Countryside

Carlisle District Local Plan 2015-2030

- Policy HO 6: Other Housing in the Open Countryside
- Policy CM 5: Environmental and Amenity Protection

Copeland Local Plan 2021-2039

- Policy DS4: Design and Development Standards
- Policy DS8: Soils, Contamination and Land Stability

National

National Planning Policy Framework:

- Chapter 15 Conserving and enhancing the natural environment, Paragraphs 187 and 196

National Planning Policy Guidance:

[Land affected by contamination - GOV.UK](#)

10. Crime Prevention

When is it required?

This Statement is details of measures taken to ensure the security of property and prevention of crime.

What is required?

It is needed to assist with the national policy goal of creating healthy and safe communities by 'designing out crime' from new developments. You should submit a crime prevention strategy, or as a minimum details on how attempts have been made to 'design out crime', as part of the design and access statement. A crime prevention strategy is recommended for major applications.

Policy References and Further Guidance

For further guidance, see the Secured by Design guidance for details on how to incorporate security into developments.

[Secured by Design - SBD Design Guides](#)

11. Custom and Self-Build Housing Design Code

Reasons for requirement

To ensure high quality design is achieved by considering custom and self-build proposals.

When is it required?

For proposals of five or more plots within the Allerdale Area.

What is required?

A design code is a set of written and illustrated rules that establish the design parameters of a particular development.

Design codes could include amongst other things, building form and orientation, density, building lines, landscaping, parking and infrastructure. Design codes help to clarify and guide what form of development is acceptable on site, give greater certainty to all parties and ensure the development works as a cohesive whole. The Council will work in partnership with developers and landowners to agree the content of the code on a site-by-site basis.

Policy References and Further Guidance

Local

Allerdale Local Plan (Part 2) 2020:

- Policy SA4: Custom and Self-Build Housing

National

National Planning Practice Guidance:

<https://www.gov.uk/guidance/self-build-and-custom-housebuilding>

12. External Lighting Assessment

Reasons for requirement

Used to assess the impact of any proposed external lighting on neighbouring properties or upon dark countryside skies.

When is it required?

All proposals, including equestrian related development, involving floodlighting in the vicinity of residential property, a listed building or a conservation area, ecologically sensitive areas or watercourses, where external lighting would be provided or made necessary by the development.

Details of highway street lighting is not required. This is covered by S.38 of The Highways Act 1980. Details should include the following information:

- hours of operation
- an isolux contour map showing light spillage to 1 lux
- light levels
- column heights with layout plan with beam orientation
- a schedule of equipment
- a description of the measures such as hoods and cowls that have been provided to avoid glare
- impact on nearby dwellings or roads and use of planting to mitigate effect
- impact on protected species, in particular bats, and proposed mitigation in order to maintain or enhance the biodiversity in the area.

Policy References and Further Guidance

Local

Allerdale Local Plan (Part 1) 2014:

- Policy S4: Design Principles
- Policy S32: Safeguarding Amenity

Carlisle District Local Plan 2015-2030

- Policy CM 5: Environment and Amenity Protection

Copeland Local Plan 2021-2039

- Strategic Policy DS4: Design and Development Standards

National

National Planning Policy Guidance:

[Light pollution - GOV.UK](#)

13. Flood Risk Assessment

Reasons for requirement

To assess the potential impact of a development on the local water environment and to identify flood risk on site and nearby and any potential increased flood risk to land and properties in close proximity.

When is it required?

You need to do a FRA for all development (including [minor development](#) and changes of use) proposed:

- in flood zones 2, 3 or 3b
- within flood zone 1 with a site area of 1 hectare or more

- in areas with critical drainage problems
- within flood zone 1 where the LPA's strategic flood risk assessment (SFRA) shows it will be at increased risk of flooding during its lifetime
- that increases the [vulnerability classification](#) and may be subject to sources of flooding other than rivers or sea

*Although there is a requirement for flood risk assessment and sequential test for all development within Flood Zones 2 & 3, there will be some proposals that will have no flood risk implications (e.g. Replacement windows or shopfront, installation of plant or machinery on an existing building or change of use to a less flood-sensitive use). If you feel this is the case, please submit a brief explanation why you do not feel the information is necessary.

What is required?

A flood risk assessment should address the following issues:

- where appropriate, demonstrate that a sequential approach has been applied to the proposed development, with the aim of carrying it out in an area with the lowest probability of flooding
- where appropriate, demonstrate that an exception test has been undertaken and include the results
- identify and assess the risks from all forms of flooding to and resulting from the proposed development
- identify and assess the risks of all forms of flooding of other land arising from the proposed development
- demonstrate how these risks will be managed and identify opportunities to reduce the probability and consequences of flooding
- demonstrate how the likely consequences of climate change have been taken into account
- demonstrate that the development complies with the national policies contained within the National Planning Policy Guidance.
- Inclusion of an Emergency Planning Statement detailing flood warning and evacuation measures where applicable.

The National Planning Policy Guidance provides details of what to include in Flood Risk Assessments and the level of data required. For some minor developments a basic Flood Risk Assessment may be acceptable; see [Appendix E Flood risk assessments minor developments](#) pro-forma to complete.

Policy References and Further Guidance

Local

Allerdale Local Plan (Part 1) 2014:

- Policy S29 Flood and Surface Water Drainage

- Policy S30 Reuse of Land

Carlisle District Local Plan 2015-2030

- Policy CC 4: Flood Risk and Development
- Policy CC 5: Surface Water Management and Sustainable Drainage Systems

Copeland Local Plan 2021-2039

- Strategic Policy DS6: Reducing Flood Risk
- Policy DS7: Sustainable Drainage

National

National Planning Policy Framework:

- Chapter 14 Meeting the challenge of climate change, flooding and coastal change

National Planning Practice Guidance:

[Flood risk assessments: applying for planning permission - GOV.UK](#)

[New national flood and coastal erosion risk information - GOV.UK](#)

14. Flood Risk Sequential Test and Exception Test

Reasons for requirement

A Flood Risk Sequential Test compares the site you are proposing to develop with other available sites, to find out which has the lowest flood risk. The aim is to steer development to the areas with the lowest risk of flooding.

When is it required?

You will need to do a sequential test if both of the following apply:

- your development is in flood zone 2 or 3;
- a sequential test hasn't already been done for a development of the type you plan to carry out on your proposed site or it is out of date.

You also do not need to do a sequential test if either of the following apply:

- your development is a minor development
- your development involves a change of use (e.g. from commercial to residential) unless your development is a caravan, camping chalet, mobile home or park home site.
- The site has been allocated for development and subject to the test at the plan making stage (provided the proposed development is consistent with the use for which the site was allocated and provided there have been no significant changes to the known level of flood risk to the site, now or in the future which would have affected the outcome of the test).
- The application is for a development type that is exempt from the test.

What is required?

If you need to do a sequential test, you need to include:

- the name and location of the site you're proposing for development;
- an explanation of why you chose that specific site;
- the name and address of the alternative sites;
- whether the alternative sites have been allocated in the local plan;
- any issues that would prevent development on the alternative sites and whether these issues could be overcome;
- your estimate of the approximate capacity of the alternative sites.

You will then need to compare the risk of flooding at the site you're proposing to use with the risk of flooding at the alternative sites you've identified. The Sequential Test should conclude whether any of the alternative sites you have identified have a lower risk of flooding than your proposed site.

The Exception Test

To pass the exception test it should be demonstrated that:

- development has to be in a flood risk area will provide wider sustainability benefits to the community that outweigh flood risk; and
- the development will be safe for its lifetime taking into account the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.

Policy References and Further Guidance

National

National Planning Policy Framework:

- Chapter 14 Meeting the challenge of climate change, flooding and coastal change, Paragraphs 173 – 180

National Planning Practice Guidance

[Flood risk and coastal change - GOV.UK](#)

15. Foul Drainage Assessment

Reasons for requirement

To ensure a satisfactory standard of foul drainage.

When is it required?

Where the application form has indicated that foul drainage is not proposed to connect to a mains sewer or for major developments connecting to the public sewer infrastructure.

What is required?

Mains foul drainage assessment

For Major developments incorporating foul drainage into the public sewer, we advise early discussions with United Utilities to determine whether or not a load or flow assessment should be submitted with the planning application, in order to demonstrate the impact of the development on the public sewer infrastructure.

Non-mains foul drainage assessment

Development involving either the installation of new non-mains drainage or the use of existing non-mains drainage (package treatment plants, septic tanks, cesspools). This includes domestic extensions if the foul sewage will be treated by existing or proposed non-mains system.

Please use this where the application site is served by a non mains drainage and/or non mains water supply. Where new waste water treatment infrastructure or the replacement or upgrade of a septic tank is proposed, consideration must be given to the proximity of existing systems and the need to avoid adverse impacts on the operation of those systems.

In order to demonstrate that the development can be effectively served by a non-mains foul drainage system without inadvertently affecting the environment, amenity or public health, a foul drainage assessment form should be submitted.

The applicant must provide details of the responsibility, means of operation and management of the non-mains foul drainage system for its lifetime to ensure the risk to the environment is low.

If a new non-mains foul drainage system is proposed, its position together with any associated soakaways and pipework must be shown within the application site (the red line) on the site location plan.

Appendix F Foul Drainage Assessment Form – to complete and submit with application.

Policy References and Further Guidance

Local

Allerdale Local Plan (Part 1) 2014

- Policy S29 Flood Risk and Surface Water Drainage

Carlisle District Local Plan 2015-2030

- Policy IP 6: Foul Water Drainage on Development Sites

Copeland Local Plan 2021-2039

- Strategic Policy DS6: Reducing Flood Risk
- Policy DS7: Sustainable Drainage

National

National Planning Policy Guidance

[General binding rules: small sewage discharge to the ground - GOV.UK](#)

16. Heads of Terms (Section 106/Planning Obligations)

Reasons for requirement

Section 106 agreements or planning obligations are private agreements negotiated between the Council, and persons with an interest in the property or piece of land.

The Council will secure infrastructure provision/enhancement through planning obligations to mitigate the impact of development where it is reasonable, necessary and directly related to the development.

When is it required?

For schemes involving (please note this list is not exhaustive):

- Transport and Highway improvements (including public transport, sustainable transport solutions, footpaths and cycleways)
- Car parking and cycle parking/storage
- Electric vehicle charging points
- Travel Plans
- Drainage infrastructure, flood risk mitigation measures and surface water management
- Digital connectivity
- Low carbon energy and renewable energy infrastructure
- Affordable housing
- Education and health facilities
- Community facilities including social care and sports facilities
- Green infrastructure including public open spaces, play areas and allotments
- Environmental improvements such as landscaping, tree planting, public art, biodiversity net gain, measures to conserve and enhance heritage assets
- Compensatory habitats

What is required?

The Section 106 heads of terms template must include the following details:

- details of the proposal
- details of what the Agreement is for
- title deeds and Land Registry information
- names and addresses of the interested parties
- name and address and contact details of the instructed solicitor

If the developer considers that it is not financially viable to enter into a S.106 Agreement or that they wish to make reduced payments, a financial viability assessment must be submitted.

The Financial Viability Assessment must include the following information:

- schedule of both gross and net internal floor areas
- land purchase price, including proof, and the estimated market value of the site
- date of land purchase
- schedule of development costs (normal)
- schedule of development costs (abnormal)
- proof of development costs (abnormal)
- reasons why full costs (including abnormal) were not reflected in the purchase price
- expected sale price of dwellings/buildings, including the expected dates of sale
- intended profit levels, including profit type in relation to affordable housing provision, the Financial Viability Assessment should include all of the above information and details of the % of affordable housing that could be provided against a diminishing scale of profit levels, up to the level of 100% affordable housing provision.

Viability Appraisals should take into account a land value that reflects the market value of the site at the time of the application, that is, the cost of the land reflecting current planning policy and all development costs, and not the actual price paid.

Only costs that were unforeseeable at the time of purchase will be considered abnormal for the purposes of affordable housing negotiations.

Known costs, such as site clearance, site preparation, piling, erection of retaining walls, infrastructure provision and/or diversion, works to the highway, flood mitigation measures, archaeology, decontamination or remediation will not be considered as abnormal.

Where abnormal costs can be clearly demonstrated, a reduction in the affordable housing provision may be agreed on an individual site basis.

Fee for viability appraisals:

Full cost to be recovered from the applicant for applications requiring a viability assessment.

There is a separate fee, payable in addition to the standard planning fee, for applications requiring a viability assessment.

The fee is to cover our costs in appointing an independent professional to evaluate the assessment submitted and any other required assessments

Policy References and Further Guidance

Local

Allerdale Local Plan (Part 1) 2014

- Policy S21 developer Contributions

Supplementary Planning Document Developer Contributions 2017

Carlisle District Local Plan 2015-2030

- Policy IP 8: Planning Obligations

Copeland Local Plan 2021-2039

- Strategic Policy DS3: Planning Obligations

17. Health Impact Assessment

Reasons for requirement

The Health and Social Care Act (2012) gave local authorities new duties and responsibilities for health improvement and health protection. The Act requires every local authority to use all the levers at its disposal to improve health and wellbeing. The promotion and protection of health and wellbeing being embedded throughout all directorates and functions of the Council, including spatial planning and development management

When is it required?

Required for the following types of application/development:

- Residential development over 100 units and all other large scale major development.

HIA is a practical approach used to judge the effects a proposed development may have on the health and wellbeing of different groups of people. The findings of HIAs are used to make recommendations to decision makers as to how any positive health impacts of a particular scheme may be increased and any negative impacts reduced.

Policy References and Further Guidance

Local

Allerdale Local Plan (Part 1) 2014

- Policy S2 Sustainable Development Principles

Carlisle District Local Plan 2015-2030

- Policy SP 1 Sustainable Development
- Policy SP 9 Healthy and Thriving Communities

Copeland Local Plan 2021-2039

- Strategic Policy SC1: Health and Wellbeing

National

[National Planning Policy Framework - GOV.UK](#)

The National Planning Policy Framework (NPPF) sets out the purpose of the planning system as being "to contribute to the achievement of sustainable development." Ensuring a strong, healthy and just society is recognised by the NPPF and Securing the Future (UK Sustainable Development Strategy) as one of the guiding principles' of sustainable development. HIA promotes sustainable developments that support the creation of strong, vibrant and healthy communities, by:

Demonstrating that health impacts have been properly considered when preparing, evaluating, and determining development proposals. Ensuring developments contribute to the creation of a strong, healthy, and just society. Helping applicants to demonstrate that they have worked closely with those directly affected by their proposals to evolve designs that take account of the views of the community. Identifying and highlighting any beneficial impacts on health and wellbeing of a particular development scheme. Identifying and taking action to minimise any negative impacts on health and wellbeing of a particular development scheme.

[Health Impact Assessment in spatial planning - GOV.UK](#)

18. Heritage Statement

Reasons for requirement

The historic environment including all heritage assets and their setting need to be conserved and enhanced in a manner appropriate to their intrinsic historic value and significance, their importance to local character, distinctiveness and sense of place and for their social, cultural, economic and/or environmental benefits and values.

When is it required?

A Heritage Statement of Significance and Impact will be required for the following:

- applications for listed building consent
- applications within the curtilage of directly adjacent a listed building, and those that affect its setting
- applications in a conservation area and those that affect its setting
- applications affecting a scheduled ancient monument and those that affect its setting
- applications affecting a registered park or garden of special historic interest and those that affect its setting
- applications affecting an archaeological site and those that affect its setting
- applications affecting a non-designated heritage asset, and those that affect its setting. Non-designated heritage assets may include buildings,

monuments, sites, places, areas or landscapes, identified as having a degree of heritage merit worthy of consideration in planning decisions but not formally designated heritage assets.

What is required?

Paragraph 194 of the NPPF advises that local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the asset's importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum, for validation, the Statement should:

- a) Cite the relevant historic environment record.
- b) Identify all heritage features affected by the proposed development.
- c) Detail the feature with regards to its age, design and quality.
- d) Identify the value of the historical significance of the feature (including the Outstanding Universal Value of a World Heritage Site).
- e) Detail the proposed works and how they will impact each particular feature.
- f) Evaluate the impact upon the heritage asset.
- g) Justify the proposed works, or detail mitigation measures to limit the harm caused by the proposed development.

Please see [Appendix G for further details on Heritage Statements](#).

Policy References and Further Guidance

Local

Allerdale Local Plan (Part 1) 2014

- Policy S27: Heritage Assets
- Policy S28: Hadrian's Wall World Heritage Site

Carlisle District Local Plan 2015-2030

- Policy SP 7: Valuing our Heritage and Cultural Identity
- Policy HE 1: Hadrian's Wall World Heritage Site
- Policy HE 2: Scheduled Ancient Monuments and Non-Designated Archaeological Assets
- Policy HE 3: Listed Buildings
- Policy HE 4: Historic Parks and Gardens
- Policy HE 5: Historic Battlefields
- Policy HE 6: Locally Important Heritage Assets
- Policy HE 7: Conservation Areas

Copeland Local Plan 2021-2039

- Strategic Policy BE1: Heritage Assets
- Policy BE2: Designated Heritage Assets

National

National Planning Policy Framework:

- Chapter 17 Conserving and Enhancing the historic environment

National Planning Policy Guidance:

[Historic environment - GOV.UK](#)

19. Housing Standards Statement

Reasons for requirement

Used to ensure that new housing is accessible and can be easily adapted to meet the changing needs of their occupants over their lifetime.

Requirements M4(2 Accessible and Adaptable Homes) and M4(3 Wheelchair user dwellings) are 'optional requirements' as defined in the Building Regulations. An optional requirement only applies where a condition that one or more dwellings should meet the relevant optional requirement is imposed on new development as part of the process of granting planning permission.

The implementation of the requirements of M4(2) is particularly important in Allerdale due to its ageing population. Policy SA5 of the Allerdale Local Plan (Part 2) sets out the thresholds for the optional requirements.

When is it required?

Applications for reserved matters or full planning permission in the Allerdale Area.

For developments of 10 units or more, 20% of the dwellings must be designed and constructed to meet the requirements set out in optional Building Requirement M4(2).

All residential developments over 30 units, must ensure that 5% of the total units (across both market and affordable dwellings) should be designed and constructed to meet optional Building Requirement M4(3) ensuring that the dwellings are wheelchair adaptable.

What is required?

Either a Housing Standards Statement, or a chapter within the Design and Access Statement, should provide an explanation of how the development has been designed to ensure that homes are accessible and adaptable. [Appendix H – Housing standards](#) Pro-forma to complete and submit with application to demonstrate compliance with above.

Policy References and Further Guidance

Local

Allerdale Local Plan (Part 2) 2020

- Policy SA5: Housing Standards

National

Approved Document M:

[Access to and use of buildings: Approved Document M - GOV.UK](#)

20. Hydrological Risk Assessments

Hydrogeological Risk Assessments are required for land development activities that pose a risk to the ground water environment such as land fill sites.

[Landfill operators: environmental permits - What to include in your hydrogeological risk assessment - Guidance - GOV.UK.](#)

21. Landscaping Scheme

Reasons for requirement

Where landscaping is considered to be of material importance to the determination of the proposed development, the Council will require a detailed Landscaping Scheme.

When is it required?

Required for all applications (except for changes of use, or for outline applications where layout and landscaping is not applied for) where existing or proposed landscaping would contribute to the acceptability of the proposed scheme.

What is required?

The Council will require a detailed scheme, which should include a scaled plan showing hard and soft landscaping details, including details of levels, paving treatment and materials, plant species, position, number and/or densities per square metre with the area given, and the size and specification of the plant material. The details should also include proposals for long-term maintenance and landscape management. Details of phasing may be required, particularly for larger sites.

Applicants will be expected to consider and be designed to maximise the full range of benefits of green infrastructure.

Policy References and Further Guidance

Local

Allerdale Local Plan (Part 1) 2014

- Policy S24: Green Infrastructure
- Policy S33: Landscape
- Policy DM17: Trees, Hedgerows and Wood

Allerdale Local Plan (Part 2) 2020

- Policy SA52: Protecting and Creating Green Infrastructure

Carlisle District Local Plan 2015-2030

- Policy SP 8: Green and Blue Infrastructure
- Policy GI 1: Landscapes
- Policy GI 2: Areas of Outstanding Natural Beauty
- Policy GI 3: Biodiversity and Geodiversity
- Policy GI 4: Open Space
- Policy GI 5: Public Rights of Way
- Policy GI 6: Trees and Hedgerow

Copeland Local Plan 2021-2039

- Policy DS5: Hard and Soft Landscaping
- Policy N14: Woodlands, Trees and Hedgerows

National

National Planning Policy Framework:

- Chapter 15 Conserving and enhancing the natural environment 180–191

National Planning Practice Guidance:

<https://www.gov.uk/guidance/natural-environment>

22. Landscape and Visual Assessment (LVA)/Landscape and Visual Impact Assessment (LVIA)

Reasons for requirement

To assess the impact of any individual development on the character, setting and visual amenity of the surrounding landscape and any sensitive receptors within it.

When is it required?

- Major residential, commercial and industrial proposals (10 or more dwellings/floor space 1000m² and above, site area 0.5 ha or above) on the edge of settlements or within the open countryside which would have potentially significant impact on visual amenity and landscape character

- new caravan sites or extensions to existing sites (confirmation of requirement can be received from area team prior to submission)
- solar energy systems
- wind turbines

What is required?

Major Developments

The extent of the assessment required should be agreed with the Council.

LVA

The assessment should include visual representations of the site before and after the proposed development such as photomontages and artist's impressions.

LVIA

Sensitive sites either within designated landscapes or visually prominent on the edge of settlements, requires the submission of a Landscape and Visual Impact Assessment by a qualified landscape architect. The submission should include a list of viewpoints to assess the proposal which should be agreed with the relevant Planning Team for the area prior to submission of the application.

As a minimum, a statement of assessed landscape impact referring to the relevant defined characteristics contained within the Cumbria Landscape Character Assessment Toolkit and / or Solway Coast AONB Landscape and Seascape Character Assessment including photographs of the impacted landscape with accompanying text.

Policy References and Further Guidance

Local

Allerdale Local Plan (Part 1) 2014:

- Policy S19: Renewable Energy and Low Carbon Technologies
- Policy S33: Landscape
- Policy S34: Development in the Solway Coast Area of Outstanding Natural Beauty

Allerdale Local Plan (Part 2) 2020:

- Policy SA2: Settlement Boundaries
- Policy SA50: Area Suitable for Wind Energy Development

Solway Coast AONB Landscape and Seascape Character Assessment:

<https://www.solwaycoastaonb.org.uk/2019/wp-content/uploads/2019/04/LSCA-AONB.pdf>

Carlisle District Local Plan 2015-2030

- Policy CC 1: Renewable Energy
- Policy CC 2: Energy from Wind
- Policy GI 1: Landscapes

North Pennines AONB Planning Guidelines Supplementary Planning Document
January 2011

Copeland Local Plan 2021-2039

- Strategic Policy N6: Landscape Protection
- Strategic Policy N7: St Bees and Whitehaven Heritage Coast
- Strategic Policy N8: The Undeveloped Coast

Other sources of information

Cumbria Wind Energy Supplementary Document (SPD):

[Wind Energy SPD](#)

National

National Planning Policy Framework:

- Chapter 15 Conserving and enhancing the natural environment, Paragraphs 187–191

23. Marketing and Viability Statement

Reasons for requirement

Used to assess whether sufficient marketing of an existing site or building or business has been undertaken prior to submission of a planning application.

When is it required?

- Proposals for enabling development
- Loss of a community facility/service
- Loss of commercial/leisure units within town centres boundaries
- Redevelopment or de-allocation of employment sites
- Development not complying with the Council's affordable housing provision
- Developments not meeting the Housing Standing requirements
- Removal of occupancy condition on a dwelling in the open countryside
- Developments that are not in general accordance with the objectives and policies of the development Plan.

What is required?

Content of marketing and viability assessment:

An assessment or statement providing the results of the marketing exercise that was undertaken should be provided. This should be carried out by a suitably qualified professional, for example, a Chartered Surveyor and must include:

- an independent valuation
- the length of time over which the marketing has taken place (minimum of 6 months)
- details of the nature of the marketing, including publications used and distribution area of the publications
- details of all expressions of interest and all offers received, including rental interest, with explanations as to why such offers were not accepted. In circumstances where the premises are currently occupied, the assessment should indicate clearly why the occupier wishes to vacate the premises.

An up-to-date viability assessment report should be prepared in accordance with guidance issued by the Royal Institute of Chartered Surveyors and include:

- executive summary
- contents outline
- introduction and background
- description of site location
- planning policy context and description of scheme
- market information summary
- build cost and programme methodology and approach
- outputs and results
- sensitivity analysis
- summary accounts for previous three years
- concluding statement

The viability assessment must also include an appraisal of the following factors:

- gross development value
- costs
- land value
- competitive returns to landowners and developers

Please note that all viability assessments and reports will be published on the council's website in accordance with the requirements of paragraph 59 of the National Planning Policy Framework.

Fees for marketing and viability appraisals:

Please note there is a separate fee, payable in addition to the standard planning fee, for applications requiring a viability assessment or peer review of submitted information.

The fee is to cover our costs in appointing an independent professional to evaluate the assessment submitted and any other required assessments.

The fee is available upon application on a case-by-case basis.

Policy References and Further Guidance

Local

Allerdale Local Plan (Part 1) 2014

- Policy S26: Community and Rural Services
- Policy DM3: Protection of Employment Sites
- Policy DM9: Town Centre Frontages

Allerdale Local Plan (Part 2) 2020

- Policy SA3: Affordable Housing

Carlisle District Local Plan 2015-2030

- Policy EC 9: Arts, Culture, Tourism and Leisure Development
- Policy HO 4: Affordable Housing
- Policy CM 3: Sustaining Community Facilities and Services

Former Carlisle City Council Affordable and Specialist Housing Supplementary Planning Document October 2019

Copeland Local Plan 2021-2039

- Policy E7: Safeguarding of Employment Sites
- Strategic Policy H8: Affordable Housing
- Policy SC5: Community and Cultural Facilities

National

National Planning Policy Framework:

- Chapter 8 Promoting healthy and safe communities, Paragraph 98

National Planning Practise Guidance:

[Viability - GOV.UK](#)

24. Materials Schedule

Reasons for requirement

Used to provide information regarding the external materials to be used in the development.

When is it required?

Some applications may require more detailed information about the materials to be used. These include:

- listed building applications
- major applications (10+ dwellings, site area of more than 1 hectare or commercial floor space of 1000+ square metres)
- development in a conservation area

What is required?

Contents of materials schedule:

The details given should include information about the existing and proposed material palette, including colours, finish and type of materials.

The information may be labelled on the plans or included on a list.

Trade brochures and catalogues may be helpful, alongside samples as requested.

25. Minerals Infrastructure Impact Assessment

Reasons for requirement

To assess whether a proposed development is likely to have an adverse impact on the continued operation of important minerals infrastructure, including its capacity.

When is it required?

For all non-minerals development proposed in locations on or close to:

- Existing mineral extraction sites
- Mineral Site Allocations
- mineral infrastructure facilities such as rail depots and wharves, concrete batching and asphalt plants, and aggregate recycling sites.

With the exception of:

- applications for advertisement consent
- prior notifications relating to agriculture and forestry development and demolition
- Certificates of Lawfulness of Existing or Proposed Use or Development
- Applications for Listed Building Consent or works to trees

What is required?

The Minerals Infrastructure Impact Assessment should identify the potential sensitivity of the proposed development to continued operation of the minerals infrastructure and the potential impact this could have on the facility. The following information should be included:

- Site location, boundaries and area
- Description of the minerals infrastructure potentially affected (type of facility; type of mineral handled/processed/supplied); throughput/capacity)
- Potential sensitivity of the proposed non-minerals development to operation of the infrastructure (e.g. blasting, noise, dust, traffic, visual, light)
- Potential impact of the proposed non-minerals development on the existing/safeguarded infrastructure (e.g. loss of capacity; potential constraint on operation of the facility)
- Measures to mitigate potential impacts of the operation of the infrastructure/facility on the proposed development

The Minerals Infrastructure Impact Assessment should provide a conclusion as to whether or not the minerals infrastructure/facility will be operationally compromised or lost as a result of the proposed development and whether the sensitivity of the proposed development to potential disturbance can be mitigated satisfactorily. Mitigation measures may be incorporated into the development design and layout to mitigate potential effects, reflecting the 'agent of change' principle.

Where facilities are likely to be adversely affected, through partial or total loss, or constraint on capacity, the lack of need for the facility and ability to provide equivalent replacement capacity elsewhere will need to be demonstrated.

The level of detail required will be proportionate to the nature of the development.

Policy References and Further Guidance

Local

Cumbria Minerals and Waste Local Plan 2015-2030 (Adopted 2017)

- Policy SP8 – Minerals Safeguarding
- Policy SAP5 – Safeguarding of existing and potential railheads and wharves

National

National Planning Policy Framework:

- Chapter 17 – Facilitating the sustainable use of minerals, Paragraph 223 e)
- Chapter 15 , paragraph 200 ('agent of change')

National Planning Practice Guidance – Minerals Safeguarding
Paragraph: 006 Reference ID: 27-006-20140306

Further guidance on the content and detail required can be found in the Planning Officer Society Minerals Safeguarding Guidance Practice Guidance - https://mineralproducts.org/MPA/media/root/Publications/2019/MPA_POS_Minerals_Safeguarding_Guidance_Document.pdf

26. Minerals Resource Assessment

Reasons for requirement

To appraise the viability of prior extraction of a known mineral resource before development takes place. In order to prevent important mineral resources from becoming sterilised by non-minerals development.

When is it required?

For all non-minerals development proposals within the Mineral Safeguarding Area except the following exempt developments and application types specified in Table 15.1 of the Cumbria Minerals and Waste Local Plan:

- Applications for householder development

- Applications for extension or alterations to existing buildings, or for change of use of existing development, which do not fundamentally change the scale and character of the building/use
- Applications that are in accordance with the Site Allocations of an adopted or deposited Local Plan, where it can be demonstrated that prevention of unnecessary mineral sterilisation was taken into account during the Plan preparation and, as a result, it has already been determined that prior extraction need not be considered for development proposals on that site
- Applications for advertisement consent
- Applications for reserved matters, including subsequent applications after outline consent has been granted
- Prior notifications (telecommunications; forestry; agriculture; demolition)
- Certificates of Lawfulness of Existing or Proposed Use or Development
- Applications for works to trees
- Applications for temporary planning permission (where the temporary period is no more than 5 years)
- Applications for Listed Building Consent

What is required?

The Minerals Resource Assessment should be carried out by an appropriate competent person such as a geologist or minerals surveyor.

It should provide the following information:

- The type and amount of mineral resource(s) thought to be present;
- The potential extent of sterilisation which could occur as a result of the proposed development in terms of tonnage
- Economic value and viability of the mineral (i.e. the market interest)
- Site specific considerations that may affect feasibility or acceptability of extraction from the site
- Potential options for prior extraction including the amount that could be extracted, nearby operators that could extract and process the material, or opportunities for on-site use.

The level of detail required will be proportionate to the nature of the development.

Policy References and Further Guidance

Local

Cumbria Minerals and Waste Local Plan 2015 – 2030 (Adopted 2017)

- Policy SP8 – Minerals Safeguarding
- Policy DC15 – Minerals Safeguarding

National

National Planning Policy Framework:

- Chapter 17 – Facilitating the sustainable use of minerals, Paragraph 223 c)

National Planning Practice Guidance – Minerals Safeguarding
Paragraph: 003 Reference ID: 27-003-20140306

Mineral safeguarding in England: good practice guide (2011), British Geological Society

<https://www.bgs.ac.uk/mineralsuk/download/mineral-safeguarding-in-england-good-practice-advice/>

Further guidance on the content and detail required can be found in the Planning Officer Society Minerals Safeguarding Guidance Practice Guidance -

https://mineralproducts.org/MPA/media/root/Publications/2019/MPA_POS_Minerals_Safeguarding_Guidance_Document.pdf

27. Nature Conservation & Ecological Assessment/Habitat Survey/Protected Species Assessments

Reasons for requirement

We have to consider the conservation and environmental net gains for biodiversity when deciding a planning application. This includes the protection of protected species, designated sites, habitats and geological features.

When is it required?

An ecological assessment (sometimes known as a Biodiversity assessment or nature conservation assessment) will be required for all major applications or greenfield development (usually agricultural or amenity land) that could directly or indirectly impact on rare, protected, or notable species or habitats protected by:

- The Wildlife and Countryside Act 1981
- The Conservation (Natural Habitats etc.) Regulations 2010
- The Conservation of Species and Habitat Regulations 2017
- The Protection of Badgers Act 1992

A survey may include either a protected species survey and/or an ecological or geological survey.

A protected species survey and assessment should be submitted where the development involves:

- Development or removal of buildings and structures (especially roof voids)
- Conversion of a building (for example, barn conversion)
- works to bridges, viaducts, tunnels, mines, kilns, cellars and similar underground ducts and structures
- works near watercourses, wetlands and ponds and/or wooded areas
- Proposals involving lighting of churches and listed buildings or flood lighting of green space within 50m of woodland, water, field hedgerows or lines of trees with obvious connectivity to woodland or water.
- Proposed development affecting any buildings, structures, feature or locations where protected species are known to be present.

- Proposals affecting woodland, or field hedgerows and/or lines of trees with obvious connectivity to woodland or water bodies.
- Proposals affecting gravel pits or quarries and natural cliff faces and rock outcrops with crevices, caves or swallets.
- Major proposals within 500m of a pond.

An ecological survey should be submitted where the development involves:

- Works to trees or hedgerows
- Overgrown site
- development within or adjacent to a Site of Special Scientific Interest (SSSIs), Special Protection Areas (SPAs), Special Areas of Conservation (SACs), Ramsar sites, sites of biological or geological importance (National Nature Reserve, County Wildlife Site, Regionally Important Geological/Geomorphological Sites (RIGS), Wildlife Trust Reserves)
- sites involving ancient woodland.

A Habitats Regulations Assessment may be required for developments with connectivity to European designated sites.

Exemptions:

- 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) Householder Planning applications

What is required?

Nature Conservation & Ecological Assessment: Applications must be accompanied by an ecological assessment and include proposals for long-term maintenance and management of protected species and habitats. 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 Habitat Regulations 2017, Wildlife and Countryside Act 1981, Conservation (Natural Habitats etc.) Regulations 2010 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 (especially conversion schemes), a detailed investigation and assessment is required at the appropriate time of year. Should the initial survey detail that further surveys are required these must be undertaken and submitted with the application. Details of the extent of the investigation can be obtained from Natural England.

Habitat Survey (also known as preliminary ecological survey): A survey and assessment by a person holding a relevant certification. Should the initial survey detail that further surveys are required these must be undertaken and submitted with the application. This should solely be undertaken during the relevant time of year.

NB: Please note that Ecological Surveys including Bats Surveys are only relevant for 2 years. After this time either a new survey will need to be undertaken by a qualified person or an addendum provided.

Policy References and Further Guidance

Local

Allerdale Local Plan (Part 1) 2014

- Policy S35: Protecting and Enhancing Biodiversity and Geodiversity
- Policy DM17: Trees, Hedgerows and Woodland

Carlisle District Local Plan 2015-2030

- Policy GI 3: Biodiversity & Geodiversity
- Policy GI 6: Trees and Hedgerows

Copeland Local Plan 2021-2039

- Strategic Policy N1: Conserving and Enhancing Biodiversity and Geodiversity
- Strategic Policy N2: Local Nature Recovery Networks
- Strategic Policy N3: Biodiversity Net Gain

National

National Planning Policy Framework:

- Chapter 15 Conserving and enhancing the natural environment, Paragraph 187 and 192-195

National Planning Practice Guidance:

[Prepare a planning proposal to avoid harm or disturbance to protected species - GOV.UK](#)

[Appropriate assessment - GOV.UK](#)

28. Noise Impact Assessment

Reasons for requirement

Used to determine whether the development will have a significant impact on existing noise levels or whether, when all appropriate forms of mitigation have been considered, the existing noise environment will adversely affect the proposed development.

When is it required?

A noise impact and sound insulation assessment should accompany applications for:

- proposed developments that have the potential to generate noise, for example: Industrial units, installation of external air conditioning units, workshops, day nurseries, nightclubs, places of worship, public houses, gyms, restaurants/takeaways, schools/colleges or outdoor sports facilities

- proposed developments located next to an existing noise source, for example, next to an industrial site, a busy road, or railway line
- developments where noisy construction methods may be necessary, such as piling
- Wind turbines or other renewable developments

What is required?

A noise impact and sound insulation assessment should include the following information:

- existing background noise levels measured over a 24 hour period (including the cumulative noise levels of all existing units) to show representative background noise
- proposed noise levels (including the cumulative noise levels of all proposed units)
- any proposed measures to reduce noise from the proposed development
- the system manufacturer's specification of any proposed equipment to be installed, altered or replaced
- details of the method used to compile the report and examples of the calculations and assumptions made
- The noise impact and sound installation assessment must be carried out by suitably qualified professionals with relevant experience and expertise in the recognised methodologies.

Policy References and Further Guidance

Local

Allerdale Local Plan (Part 1) 2014

- Policy S19: Renewable Energy and Low Carbon Technologies
- Policy S32: Safeguard Amenity
- Policy DM17: Trees, Hedgerows and Woodland

Carlisle District Local Plan 2015-2030

- Policy CC 1: Renewable Energy
- Policy CC 2: Energy from Wind
- Policy CM 5: Environmental and Amenity Protection
- Policy HO 12: Other Uses in Primary Residential Areas

Copeland Local Plan 2021-2039

- Policy CC1: Large Scale Energy Developments (excluding nuclear and wind energy)
- Policy CC2: Wind Energy Developments
- Policy R10: Hot Food Takeaways
- Policy SC4: Impacts of new development on sports facilities (including playing fields and playing pitches)

National

National Planning Policy Framework:

- Chapter 15 Conserving and enhancing the natural environment, Paragraphs 198 and 200

National Planning Practice Guidance:

[Noise - GOV.UK](#)

29. Nutrient Neutrality

Reasons for requirement

If a development will increase nutrient levels, for example by adding new houses to the area, it must have a way of removing the same amount of nutrients from somewhere else in that catchment. This is called nutrient neutrality.

When is it required?

The following types of developments that fall within the catchment areas of the River Derwent & Bassenthwaite Lake SAC and the River Eden SAC.

All types of overnight accommodation including new homes, self-catering and serviced tourist accommodation such as hotels, guest houses, bed and breakfasts, self-catering holiday units, static caravan sites, campsites served by on-site toilet or washing facilities.

- New tourism development likely to increase the number of day visitors to premises.
- Agricultural development that will result in an increase in stock numbers.

In former Allerdale the following parishes are affected:

Boltons, Sebergham, Brigham, Dean, Great Clifton, Greysouthen, Little Clifton, Loweswater and Winscales.

In former Carlisle the whole of the City is affected along with the following parishes:

St Cuthbert Without, Dalston, Cummersdale, Orton, Wetheral, Cumwhitton, Carlattan, Castle Carrock, Cumrew, Hayton, Farlam, Brampton, Nether Denton, Upper Denton, Waterhead, Kingwater, Askerton, Bewcastle, Walton, Irthington, Scaleby, Stanwix Rural, Kingmoor, Rockcliffe and Beaumon.

In former Copeland the following parishes are affected:

Alecdon, Frizington and Lamplugh.

Nutrient Neutrality catchment areas maps for River Derwent and Bassenthwaite Lake Special Area of Conservation and River Eden Special Area of Conservation:

<https://www.cumberland.gov.uk/planning-and-building-control/nutrient-neutrality-catchment-areas>

Information will still be required for developments that are located outside of the catchment area but where the proposed drainage will fall within one of the areas within the identified catchment area.

The requirement to demonstrate nutrient neutrality applies to all types of planning application relating to these types of development, including reserved matters, prior approval, discharge of conditions and certificates of lawful development for a proposed use or development. S73 applications to vary permission are also affected in some circumstances.

What is required?

Nutrient neutrality information must include:

Option 1

- Completed Natural England nutrient neutrality budget calculator for the relevant catchment; and
- Nutrient neutrality mitigation strategy; and
- Shadow Habitats Regulations Assessment – which will show the impacts of the proposed development in accordance with the requirements of [The Conservation of Habitats and Species Regulations 2017](#), prepared by a third party which the Authority may choose to adopt as part of our assessment of an application if we agree with its conclusions. National Planning Practise Guidance on Habitats Regulations Assessment provides additional information [Appropriate assessment - GOV.UK](#).

Please note that the nutrient budget calculator is unsuitable for agricultural developments, and a bespoke assessment will be needed.

Option 2

- Evidence that all proposed thresholds for small discharges to ground as set out in Natural England Nutrient Neutrality Advice are met.

[Natural England Water Quality and Nutrient Neutrality Advice \(16 March 2022\) - NE785](#)

Exceptions to the nutrient neutrality validation requirement:

- Development falling within Use Class B2 or B8 (general industrial or uses).
- Development falling within Use Class E (Commercial, Business and Service).
- Development falling within Use Class F1(a), (d), (e), or (f).
- Development falling within Use Class F2(a), (b) or (c).

- Development changing between one type of tourism accommodation to another without increasing occupancy (e.g., guesthouse to holiday let).
- Householder development (including ancillary accommodation such as annexes or incidental accommodation such as garden buildings).

Notwithstanding that nutrient neutrality information may not be required to validate some types of application, nutrient neutrality information may still be required during the application process, and planning permission refused in the absence of nutrient neutrality information for developments of the types listed above following a case-by-case assessment.

Policy References and Further Guidance

Local

Allerdale Local Plan (Part 1) 2014

- Policy S29: Flood Risk and Surface Water Drainage
- Policy S30: Reuse of Land
- Policy S35: Protecting and Enhancing Biodiversity and geodiversity
- Policy S36: Air, Water and Soil Quality

Carlisle District Local Plan 2015-2030

- Policy IP 6: Foul Water Drainage on Development Sites
- Policy CM 5: Environmental and Amenity Protection
- Policy GI 3: Biodiversity and Geodiversity

Copeland Local Plan 2021-2039

- Policy DS8: Soils, Contamination and Land Stability

Further information on Nutrient Neutrality:

<https://www.cumberland.gov.uk/planning-and-building-control/nutrient-neutrality-catchment-areas>

National

National Planning Policy Framework:

- Chapter 15 Conserving and enhancing the natural environment, Paragraphs 132-165

National Planning Practice Guidance:

Guidance on the use of Habitats Regulations Assessment -

<https://www.gov.uk/guidance/appropriate-assessment>

30. Open Space/Sport/ Play/Leisure Assessment

Reasons for requirement

A key priority of the Council is to promote healthy lifestyles through improved access to sports, leisure and open space, which also have positive economic and environmental benefits.

When is it required?

Applications relating to the creation of or loss of open space (for example public open space, amenity open space and playing fields).

What is required?

Applications involving loss of open space should include evidence that:

- a) the open space, buildings or land to be surplus to requirements; or
- b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
- c) the development is for alternative sports and leisure provision, the needs for which clearly outweigh the loss.

Policy References and Further Guidance

Local

Allerdale Local Plan (Part 1) 2014

- Policy S25: Sports, Leisure and Open Space

Supplementary Planning Document: Developer Contribution July 2017

[Developer contributions SPD](#)

The Allerdale Open Space, Sports and Recreation Study:

https://www-cloudfront.allerdale.gov.uk/media/filer_public/4d/64/4d64c13c-cbcb-402c-a1f4-a1a9aa9d6248/eb14_open_space_sports_recreation_study_2008.pdf -

Carlisle District Local Plan 2015-2030

- Policy GI 4: Open Space

Copeland Local Plan 2021-2039

- Strategic Policy N11: Protected Green Spaces
- Strategic Policy N12: Local Green Spaces

National

National Planning Policy Framework:

- Chapter 8 Promoting healthy and safe communities, Paragraph 104
- Chapter 15 Conserving and enhancing the natural environment, Paragraph 200

Sports England:

- Planning for Sport Guidance
- Playing Fields Policy and Guidance
- Assessing Needs and Opportunities Guidance

https://www.sportengland.org/guidance-and-support/facilities-and-planning/planning-sport?section=planning_for_sport_guidance

31. Planning Statement

Reasons for requirement

To demonstrate compliance with national and local planning policies.

When is it 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.

32. Photographs/ photomontage

Reasons for requirement

Photographs can often provide useful extra information but they cannot be used as a substitute for metric scaled drawings and plans.

When is it required?

For applications for wind turbines and certain major applications or development in rural areas, where full LVIA/LVA are not required. Please check with the planning team if these will be necessary.

What is required?

Photo visualisations/photomontages of the site. It may also be necessary to provide viewpoints of the site from public vantages points. These should be agreed in advance with the relevant team areas.

Photomontages are also helpful for some town centre regeneration schemes to show the proposed new development in context.

33. Retention of Community Facilities Reasons for requirement

Applications involving the loss of local shop, pub, community hall.

Community facilities provide an important function in our towns and villages.

When is it required?

Where there is a proposal to remove or reuse these facilities.

What is required?

When a proposed development involves the loss of any community facility, the application must be accompanied by supporting written evidence. This should include:

- for a business, the current and projected trading performance
- for a community facility, the current and projected patterns of use
- the nature and condition of the building or site together with the cost of repairs, renovations or improvements needed to allow the continuation of the facility
- location of comparable facilities
- potential relocation of the facility to an alternative premises or site in the locality or the retention of the premises for an alternative community use or for a partial community use alongside another use
- evidence that the premises has been actively marketed by an appropriate agent, at a realistic commercial rent or sale price for a period of at least six months. Evidence includes sales literature, details of approaches and offers (sensitive details will not be published)
- evidence of how the facility meets a local need in the locality. Applicants will be expected to engage with local communities at an early stage about the relative importance of the facility to its users, in order to demonstrate the degree to which the facility fulfils a need in the locality.

Policy References and Further Guidance

Local

Allerdale Local Plan (Part 1) 2014

- Policy S26: Community and Rural Services

Carlisle District Local Plan 2015-2030

- Policy EC 9: Arts, Culture, Tourism and Leisure Development
- Policy CM 3: Sustaining Community Facilities and Services

Copeland Local Plan 2021-2039

- Policy SC2: Sports and Leisure Facilities (excluding playing pitches)
- Policy SC5: Community and Cultural Facilities

National

National Planning Policy Framework:

- Chapter 6 Building a strong, competitive economy, Paragraph 88

34. Sequential Approach and Retail Impact Assessment/Town Centre Impact Assessment

Reasons for requirement

The purpose of a sequential test is to show that sites within sequentially preferable locations have been considered before less preferable Edge of Centre and Out of Centre sites.

When is it required?

Sequential Approach: Proposals for new main town centre uses (as defined in the NPPF) which are neither in an existing centre nor in accordance with an up-to-date plan.

Impact Assessment: Planning applications for retail, or leisure developments over the following m² gross floor space not in an existing defined centre.

Allerdale

a) Workington	500 m ²
b) Maryport	300 m ²
c) Cockermouth	300 m ²
d) Wigton	300 m ²
e) Maryport	300 m ²
f) Aspatria	100 m ²
g) Silloth	100 m ²

Carlisle

Locally set impact thresholds for retail floorspace have been set for the urban area and will be required for proposals which exceed 1000sqm (gross) for convenience retail and 500sqm (gross) for comparison retail. A separate impact threshold of 300sqm (gross) for convenience and comparison retail proposals has been set for Brampton, Dalston and Longtown.

Copeland

Retail Development:

- Within 800m of Whitehaven Primary Shopping Area – 500 sqm (gross)
- Within 800m of the respective Key Service Centre town centre boundary – 300 sqm (gross)
- Within 800m of Local Service Centres – 200 sqm (gross)

- In all other locations including Sustainable Rural Villages, Rural Villages – 150 sqm (gross)

Leisure Development:

- Within 800m of Whitehaven Town Centre – 500 sqm (gross)
- Within 800m of the respective Key Service Centre town centre boundary – 300 sqm (gross)
- In all other locations including Local Service Centres, Sustainable Rural Villages, Rural Villages – 150 sqm (gross)

What is required?

Sequential Approach

Statements should demonstrate evidence on the potential use of preferable alternative available town centre sites prior to any alternative available edge of town centre site or any out-of-town centre location.

The checklist below sets out the considerations that should be included:

- With due regard to the requirement to demonstrate flexibility, has the suitability of more central sites to accommodate the proposal been considered? Where the proposal would be located in an edge of centre or out of centre location, preference should be given to accessible sites that are well connected to the town centre. It is important to set out any associated reasoning clearly.
- Is there scope for flexibility in the format and/or scale of the proposal? It is not necessary to demonstrate that a potential town centre or edge of centre site can accommodate precisely the scale and form of development being proposed, but rather to consider what contribution more central sites are able to make individually to accommodate the proposal.
- If there are no suitable sequentially preferable locations, the sequential test is passed.

In line with paragraph 91 of the National Planning Policy Framework, main town centre uses should be located in town centres, then in edge of centre locations; and only if suitable sites in town centre, then in edge of centre locations are not available (or expected to become available within a reasonable period) should out of centre sites be considered. When considering what a reasonable period is for this purpose, the scale and complexity of the proposed scheme and of potentially suitable town or edge of centre sites should be taken into account.

Retail/Town Centre Impact

The Assessment should be approached as follows:

- Establish the state of existing centres and the nature of current shopping patterns (base year).
- Determine the appropriate time frame for assessing impact, focusing on impact in the first five years, as this is when most of the impact will occur.
- Examine the 'no development' scenario (which should not necessarily be based on the assumption that all centres are likely to benefit from expenditure growth in convenience and comparison goods and reflect both changes in the market or role of centres, as well as changes in the environment such as new infrastructure).
- Assess the proposal's turnover and trade draw (drawing on information from comparable schemes, the operator's benchmark turnover of convenience and comparison goods, and carefully considering likely catchments and trade draw).
- Consider a range of plausible scenarios in assessing the impact of the proposal on existing centres and facilities (which may require breaking the study area down into a series of zones to gain a finer-grain analysis of anticipated impact).
- Set out the likely impact of the proposal clearly, along with any associated assumptions or reasoning, including in respect of quantitative and qualitative issues.

Any conclusions should be proportionate, for example, it may be sufficient to give a broad indication of the proportion of the proposal's trade draw likely to be derived from different centres and facilities in the catchment area and the likely consequences for the vitality and viability of existing town centres.

Policy References and Further Guidance

Local

Allerdale Local Plan (Part 1) 2014:

- Policy S16: Town Centres and Retail
- Policy DM8: Protecting Town Centre Vitality and Viability

Carlisle District Local Plan 2015-2030

- Policy EC 2: Primary Employment Areas
- Policy EC 3: Primary Shopping Areas & Frontages
- Policy EC 6: Retail and Main Town Centre Uses Outside Defined Centres
- Policy EC 8: Food and Drink

Copeland Local Plan 2021-2039

- Policy R7: Sequential Test
- Policy R8: Retail and Leisure Impact Assessments

National

National Planning Policy Framework:

- Chapter 7 Ensuring the vitality of town centres

National Planning Practice Guidance:

<https://www.gov.uk/guidance/ensuring-the-vitality-of-town-centres>

35. Structural Survey and Assessment

Reasons for requirement

Show that a building is structurally sound and is capable of conversion without extensive rebuilding.

When is it required?

A structural survey will be needed where a proposed development involves the conversion of a redundant existing building outside of settlement limits/built up areas from one use to another, it is important to establish that the building is capable of conversion.

A structural survey will also be required in support of any proposal to demolish or substantially demolish a listed building or a building in a conservation area, where justification for demolition is sought on the basis of its structural condition.

For heritage assets structural surveys will be required where proposals require structural alterations of the fabric, and may be required to demonstrate that any new openings, such as doorways, or the removal of chimney breasts can be incorporated without adversely impacting on structural integrity above.

What is required?

A structural survey should demonstrate that a building has sufficient structural strength to accommodate the proposed change of use, together with any necessary physical alterations. The report should identify the extent to which works or repairs are necessary and the amount of new structural work needed to carry out the conversion. It must be clear which parts of the building are to remain and which parts are to be new build and this should be illustrated on a plan.

The Structural Survey should be undertaken by a suitably qualified CARE registered structural engineer/heritage specialist surveyor.

Policy References and Further Guidance

Local

Allerdale Local Plan (Part 1) 2014

- Policy S27: Heritage Assets
- Policy S31: Reuse of Rural Buildings & Replacement Dwellings in the Countryside

Carlisle District Local Plan 2015-2030

- Policy HO 6: Other Housing in the Open Countryside
- Policy HE 2: Scheduled Ancient Monuments and Non-Designated Archaeological Assets
- Policy HE 3: Listed Buildings
- Policy HE 6: Locally Important Heritage Assets

Copeland Local Plan 2021-2039

- Policy H17: Conversion of Rural Buildings to Residential Use
- Policy BE4: Non- Designated Heritage Assets

36. Surface Water Drainage / Drainage Strategy Scheme / Sustainable Drainage System (SuDs)

Reasons for requirement

To ensure a satisfactory standard of surface water drainage for the development in compliance with the surface water drainage hierarchy outlined in Planning Practice Guidance and to minimise the risk of flooding.

When is it required?

Drainage Strategy

An appropriate drainage strategy should be provided with applications:

- major developments (10 dwellings or more, 1.0 hectare or more, 1000 square metres or more) a site specific drainage strategy is required
- development on land of 0.5ha or more in critical drainage areas as defined by the Environment Agency
- Developments in flood risk zones 2 and 3 as defined by the Environment Agency.

In other cases, applicants should specify why this is not considered necessary, taking into account of national and local guidelines (Development Design Guide).

Applications for development on sites which form part of a wider development must demonstrate how the proposed drainage system for the individual site relates to a wider master drainage strategy for the whole development.

Surface Water Drainage

- all residential, commercial and industrial development should include an appropriate Sustainable Drainage System (SuDS)
- all major applications and all applications in areas at risk from flooding (Flood Zones 2 or 3) or sites within Flood Zone 1 in an Area with Critical Drainage Problems (ACDA) as notified by the Environment Agency
- sites adjacent to areas at risk of flooding and applications where development adjoins a highway

In an ACDA we expect new development to actually reduce flood risks downstream, rather than having just neutral impact.

Applications for development on sites which are part of a wider development proposal will be expected to demonstrate how the proposed drainage system for the individual site relates to a wider master drainage strategy for the whole site.

Cumbria County Council's development design guide includes information about surface water drainage.

Sustainable Drainage Systems (SuDS)

Drainage systems can contribute to sustainable development and improve the places and spaces where we live by balancing the different opportunities and challenges that influence urban design and the development of land.

Approaches to manage surface water that take account of water quantity (flooding), water quality (pollution) biodiversity (wildlife and plants) and amenity are collectively referred to as Sustainable Drainage Systems (SuDS).

SuDS mimic nature and usually manage rainfall close to where it falls. SuDS can be designed to transport (convey) surface water, slow runoff down (attenuate) before it enters watercourses, they provide areas to store water in natural contours and can be used to allow water to soak (infiltrate) into the ground or evaporated from surface water and lost or transpired from vegetation (known as evapotranspiration).

SuDS are drainage systems that are environmentally beneficial, causing minimal or no long-term damage. They are often regarded as a sequence of management practices, control structures and strategies designed to efficiently and sustainably drain surface water, while minimising pollution and managing the impact on water quality of local water bodies.

What is required?

A surface water strategy must demonstrate a full investigation of the surface water hierarchy as described in the [National Planning Policy Framework - GOV.UK](#) on Flood Risk and Coastal Change.

It must highlight options that are preferred to the public combined sewer for the discharge of surface water.

Applicants should provide clear evidence when demonstrating why more preferable options within the hierarchy have been discounted. United Utilities are happy to open dialogue regarding this, and would we also welcome such discussions through Pre-Application Enquires.

Evidence that local ground conditions render soakaways impractical (evidence normally being a test in accordance with BRE 365).

Surface Water Drainage Scheme:

A surface water drainage scheme should include the following information:

- a metric scaled plan of the existing site
- a metric scaled topographical level survey of the area to metres above ordnance datum
- metric scaled plans and drawings of the proposed site layout identifying the footprint of the area being drained (including all buildings, access roads and car parks and any green spaces draining into the drainage system)
- proposed controlled discharge rate for a 1 in 1 year event and a 1 in 100 year event (with an allowance for climate change), this should be based on the estimated greenfield runoff rate
- the proposed storage volume (attenuation)
- information on proposed SuDS measures with a design statement describing how the proposed measures manage surface water as close to its source as possible
- geological information including borehole logs, depth to water table and/or infiltration test results and interpretive report describing the suitability of the site for infiltration (especially on steeply sloping sites)
- detailed flood and drainage design drawings
- hydraulic calculations for the proposed drainage design
- evidence of third-party agreement for discharge to their system (in principle/consent to discharge)
- details of overland flow routes if drainage capacity is exceeded
- a management plan for future maintenance and adoption of drainage system for the lifetime of the development
- construction phasing plan, the strategy should demonstrate access to/from interconnecting phases
- capacity and discharge rate of the current drainage system
- details of adoption
- finished floor levels of proposed buildings

Policy References and Further Guidance

Local

Allerdale Local Plan (Part 1) 2014

- Policy S2 Sustainable Development Principles
- Policy S29 Flood Risk and Surface Water Drainage

Carlisle District Local Plan 2015-2030

- Policy CC 4: Flood Risk and Development
- Policy CC 5: Surface Water Management and Sustainable Drainage Systems

Copeland Local Plan

- Strategic Policy DS6: Reducing Flood Risk
- Policy DS7: Sustainable Drainage

National

National Planning Policy Framework:

- Chapter 14 Meeting the challenge of climate change, flooding and coastal change

National Planning Policy Guidance:

[Flood risk and coastal change - GOV.UK](#)

[New national flood and coastal erosion risk information - GOV.UK](#)

37. Tall Building Assessment

When is it required?

This should be provided on all major developments where the proposed building(s) would be substantially taller than its immediate surroundings, and/or which substantially change the skyline, although this can be included in Design & Access Statement. Historic England have produced guidance on tall buildings.

Policy References and Further Guidance

See Historic England's guidance document:

[Tall Buildings | Historic England](#)

38. Telecommunications Report

Any applications for new telecommunications equipment need to be accompanied by information regarding pre-consultation with all relevant organisations, including any surrounding schools or colleges and aerodromes. They also need to include certification regarding International Commission protection guidelines.

Policy References and Further Guidance

Local

Allerdale Local Plan (Part 1) 2014:

- Policy DM13 Telecommunications Development

Copeland Local Plan 2021-2039

- Strategic Policy CO1: Telecommunications and Digital Connectivity

National

National Planning Policy Framework:

The NPPF paragraph 122 requires any telecommunications development, including Prior Approval submissions, to be supported by evidence to justify the development. Required for all applications proposing telecommunications equipment.

[National Planning Policy Framework - GOV.UK](#)

39. Transport Assessment/Statement

Reasons for requirement

It is important that applicants seek pre-application advice from the Local Planning Authority for definitive advice on the scope of the following documents in order to avoid abortive work. Transport Assessments and Statements are ways of assessing and mitigating the negative transport impacts of development in order to promote sustainable development.

When is it required?

Appendix 3 of the Cumbria Development Design Guide specifies the thresholds for Transport Statements and Transport Assessments:

<https://www.cumbria.gov.uk/planning-environment/flooding/cumbriadevelopmentdesignguide.asp>

What is required?

Transport Statement: Should cover matters such as trip generation resulting from the development, improvements to site accessibility, car parking provision and internal vehicular circulation, traffic impacts of servicing requirements and the net level of change over any current development within the site.

Transport Assessment: Should quantify and assess the impact of the proposals on traffic movement and highway safety, quantify and assess how the development could be accessed by alternative transport modes and how such alternative modes would be promoted. Details should be included of any proposals for access or transport improvements. Please be aware that TAs need to be accompanied by a Travel Plan.

Policy References and Further Guidance

Local

Allerdale Local Plan (Part 1) 2014

- Policy S22: Transport Principles

Carlisle District Local Plan 2015-2030

- Policy SP 5: Strategic Connectivity
- Policy IP 1: Delivering Infrastructure
- Policy IP 2: Transport and Development

Copeland Local Plan 2021-2039

- Strategic Policy CO4: Sustainable Travel

National

National Planning Policy Framework:

- Chapter 9 Promoting sustainable transport, Paragraph 118

National Planning Policy Guidance:

<https://www.gov.uk/guidance/travel-plans-transport-assessments-and-statements>

40. Tree and Hedgerow Survey

Reasons for requirement

To assess the merits of existing trees as part of any development scheme which may include tree canopies of adjacent sites which overhang the site boundary. To assess the importance of any hedgerow over 20m to be removed as part of the development.

When is it required?

A tree survey should accompany all applications where there are trees on the site may be affected by the proposed development. This includes trees on adjacent land or highways which are within 15m of the boundary of the site. The reason for this is that The British Standard 5837, the Root Protection Area (RPA) is calculated by multiplying the diameter of the tree at breast height in metres by 12, but is capped as an area with a radius of 15 metres. Development that is within 15 metres of a tree has the potential to damage its roots.

A hedgerow assessment is required for major applications where hedgerow/s may be removed or felled by the development.

A hedgerow assessment is also required on all applications if 20 meters or more of hedgerow is proposed to be removed as part of the development.

What is required?

A tree survey must be submitted where there are trees within a proposed planning application site, or on land adjacent to an application site that could influence or be affected by the development.

Information will be required on which trees are to be removed and retained and the means of protecting those to be retained during construction works.

This information should be prepared by a qualified arboriculturist in accordance with British Standard 5837: 2012 (or any subsequent updates) Trees in relation to design, demolition and construction recommendations.

Tree Survey

- A topographical survey plan showing the exact locations of the tree(s)
- Arboricultural Impact Assessment
- Tree Protection Plan
- A Schedule to the survey including the following:
 - A reference number for each tree or group to be recorded on the survey plan
 - Species listed by common name (and scientific where possible)
 - The approximate height
 - The stem diameter measured in accordance with Annex C of the BS5837:2012 (or any subsequent updates)
 - Root protection Areas
 - Existing height above ground level of the first significant branch and canopy
 - Age Class (e.g young, semi-mature, mature, over-mature etc)
 - Assessment of the condition including trunk, crown and roots, particularly of structural and/or physiological condition
 - the removal/retention category U or A to C grading (see 4.5 and table 1 and 2 of BS 5837:2012, or any subsequent updates)
 - Life expectancy (e.g. less than 10, 10 or more, 20 or more, 40 or more)
 - the preliminary management recommendations
- The tree survey should also demonstrate and account for existing buildings, hard surfaces, watercourses, ground levels throughout the site, wildlife features and hedgerows.

In some cases, a full tree survey may not be necessary. It may be sufficient to submit a Tree Constraints Plan.

Tree Constraints Plan

The Tree Constraints Plan should be a combination of the information gathered during a topographical survey (location of all trees, shrubs and hedges and other

relevant features such as streams, buildings and spot level heights) and an accurate tree survey.

It is important to remember that the parts of a tree that lie below the soil surface, its roots, are just as important as those above ground (trunk, branches, leaves). Every effort should be made to ensure that the roots of retained trees are not damaged during the construction process. Root problems can lead to a decline in a tree's health resulting in the need for a tree to be removed or even structural collapse. Tree roots can be easily damaged by:

- Abrasion
- crushing by vehicles/plant equipment and/or storage of building materials or soil
- compaction of the surrounding soil leading to root death by asphyxiation (lack of oxygen) or drought (inability to obtain water)
- severing and removal of roots by excavation • poisoning from, for example, spillage or storage of fuel, oil or chemicals
- changes in soil levels around trees resulting in root death as a result of exposure or asphyxiation
- • installation of impermeable surfaces leading to a decline in tree health due to lack of water

It is vital therefore that the Tree Constraints Plan should also clearly show the Root Protection Area of each tree. The Root Protection Area can be equated to a circle, using the tree as the centrepiece, with a radius that is 12 x the tree's diameter at breast height for a single stemmed tree, or alternatively 10 x its basal diameter measured above the root flare for a multi-stemmed tree.

Tree Protection Plan

Trees are particularly vulnerable on development sites and may be affected either immediately if removal or pruning is necessary to accommodate a development, or in the longer term.

This may be as a result of disturbance during the development process or following pressure to remove or prune trees from the occupants of new buildings.

The design layout should take these issues into account.

Once it has been decided which trees, hedges or shrubbery are to be incorporated into a design layout it is important to ensure that they will survive the development process. A Tree Protection Plan is an essential aspect of tree protection with regard to development. The Tree Protection Plan is a scale plan showing:

- any proposed or existing buildings or structures
- all retained trees both on and neighbouring the site and their corresponding Root Protection Areas and crown spreads (North, East, South and West)

- the location of protective fences or barriers (details of how these are to be constructed must also be supplied)
- proposed location of all plant and materials storage
- drainage runs, roads and driveways
- existing and new accesses
- any other surface or underground features that may affect the trees on or neighbouring the site

Arboricultural Method Statement

British Standard 5837: 2012 (or subsequent updates) Trees in relation to design, demolition and construction, recommendations.

If construction or the laying of hard surfaces is allowed within the Root Protection Area (RPA) of a tree, or if any part of the development process is likely to detrimentally affect any retained trees, then it is likely that an arboricultural method statement will be required.

The statement should explain the methodology for the implementation and mitigation of any aspect of development, where there is potential for the loss of or damage to a tree(s).

Hedgerow Assessment

The hedgerows should be assessed against the criteria contained within the Hedgerow Regulations 1997 to determine whether any of them can be classified as “important” for any of the criteria detailed within paragraphs 1, 4, 5, 7 and 8 of Schedule 1 of the Regulations.

Policy References and Further Guidance

Local

Allerdale Local Plan (Part 1) 2014

- Policy DM17: Trees, Hedgerows and Wood

Carlisle District Local Plan 2015-2030

- Policy GI 6: Trees and Hedgerows

Former Carlisle City Council Trees and Development Supplementary Planning Document

Copeland Local Plan 2021-2039

- Policy N14: Woodlands, Trees and Hedgerows

National

National Planning Policy Framework:

- Chapter 15 Conserving and enhancing the natural environment, Paragraphs 187 and 190

41. Ventilation, Exhaust and Extraction Details

Reasons for requirement

A ventilation, exhaust or extraction report is needed so we can make sure that no nuisance, disturbance or loss of amenity is caused by odour, fumes, food droplets or noise to nearby properties.

When is it required?

Any developments which include the installation of ventilation systems or air-conditioning units. This includes proposed new restaurants, hot food takeaways and public houses and other premises selling/serving hot food. It may also include other businesses where the installation of externally mounted air-conditioning units is proposed.

What is required?

Metric scaled floor plans (1:50/1:100) to show the layout of internal ductwork to its point of discharge are required, together with metric scaled elevations (1:50/1:100) showing external equipment (flues, vents, grilles etc.) and the technical specification of the proposed system. This should include an acoustic and vibration report. Further guidance may be found in the EMAQ Control of Odour and Noise from Commercial Kitchen Exhaust Systems 2018.

Policy References and Further Guidance

Local

Allerdale Local Plan (Part 1) 2014

- Policy S32 Safeguarding Amenity

Carlisle District Local Plan 2015-2030

- Policy GM 5: Environmental and Amenity Protection
- Policy HO 12: Other Uses in Primary Residential Areas

Copeland Local Plan 2021-2039

- Policy R10: Hot Food Takeaways

National

National Planning Policy Framework:

- Chapter 8 Promoting healthy and safe communities

42. Waste Infrastructure Impact Assessment

Reasons for requirement

To assess whether the proposed development is likely to have an adverse impact on the continued operation of existing and safeguarded waste management facilities.

When is it required?

For all non-waste development proposed in locations adjacent or close to existing (operational) and proposed (permitted) waste management sites including all facilities for the storage, treatment and management of wastes; waste transfer stations and waste management depots; aggregate recycling sites, Household Waste Recycling Centres, wastewater treatment works, and any sites allocated in an adopted or emerging Local Plan for the future provision of waste management facilities.

What is required?

The Waste Infrastructure Impact Assessment should identify the potential sensitivity of the proposed development to continued operation of the waste management facility and the potential impact this could have on the facility. The following information should be included:

- Site location, boundaries and area
- Description of the waste management facility or infrastructure potentially affected (type of facility; type of waste handled; throughput/capacity)
- Potential sensitivity of the proposed development to operation of the waste management facility (e.g. noise, dust, odour, traffic, visual, light)
- Potential impact of the proposed development on the waste management site (e.g. loss of capacity; potential constraint on operation of the facility)
- Measures to mitigate potential impacts of the operation of the facility on the proposed development

The Waste Infrastructure Impact Assessment should provide a conclusion as to whether or not the facility will be lost as a result of the proposed development and whether the sensitivity of the proposed development to potential disturbance can be mitigated satisfactorily. Mitigation measures may be incorporated into the development design and layout to mitigate potential effects, reflecting the 'agent of change' principle.

Where facilities are likely to be adversely affected, through partial or total loss, or constraint on capacity, the lack of need for the facility and ability to provide equivalent replacement capacity elsewhere will need to be demonstrated.

The level of detail required will be proportionate to the nature of the development.

Policy References and Further Guidance

National

National Planning Policy Framework:

- Chapter 15 , paragraph 200 ('agent of change')

National Planning Policy for Waste (2014) – paragraph 8

Part 3 – Minerals and Waste

1. Airport Safeguarding

Reasons for requirement

Aerodrome Safeguarding is a legislative requirement for officially safeguarded aerodromes of which Carlisle Airport is one and Local Planning Authority areas containing civil en-route technical sites for which separate official safeguarding maps have been issued Allerdale (now part of Cumberland Council). Aerodrome safeguarding is the process used to ensure the safety of the aircraft while taking off and landing or flying in the vicinity of aerodromes. It is embedded in the Town & Country Planning process by way of ODPM/DfT Circular 01/2003 'Safeguarding of Aerodromes, Technical Sites & Military Explosives Storage Areas: The Town & Country Planning (Safeguarding Aerodromes, Technical Sites & Military Explosives Storage Areas) Direction 2002.

When is it required?

All applications within the consultation area of civil and military aerodromes and airstrips [including Carlisle] and where:

- The proposal involves landfilling.
- The development involves features attractive to hazardous birds such as: amenity landscaping and water features, this includes the enhancement of existing wet areas or water courses and buildings with ledges, gantries, and flat roofs.
- Where the proposal includes lighting which may impact on airport safety (i.e. dazzling).
- Where a proposal involves the venting and flaring of gas.
- Where buildings/structures have the potential to impact on Communication, Navigation & Surveillance Equipment (CNS).
- Where the buildings/structures have the potential to impact on including instrument flight procedures (IFPs)
- Where the buildings/structures have the potential to infringe Obstacle Limitation Surfaces (OLS)
- Where the buildings/structures have the potential to cause building/structure induced turbulence
- Where the proposals include wind turbines or large areas of solar panels.
- Where a crane or tall construction equipment is to be used on site, a permit may be required.

Applicants are advised to discuss non-official safeguarding areas with planning officers.

Policy References and Further Guidance

National

Annex 2 to the DfT/ODPM Circular 01/2003 'Safeguarding Aerodromes, Technical Sites & Military Explosives Storage Areas' Direction 2002'

Guidance on Civil Aviation Authority (CAA) Planning Consultation Requirements (PDF)

Commercial industry | Civil Aviation Authority

The Airport Operators Association (AOA) Safeguarding of Aerodromes Advice Notes: Advice Note 1, 2, 3, 4 and 5 dated August 2016

2. Agricultural Land Classification & Soil Statement

Reasons for requirement

To ascertain whether a proposal would affect the Best and Most Versatile (BMV) agricultural land (Grades 1, 2 or 3a) and, if so, take it into account.

When is it required?

For any application that will result in the temporary or permanent loss of land that is shown as being Grade 1, 2 or 3 on the government's Agricultural Land Classification (ALC) Maps.

What is required?

Information on:

- The quality of existing agricultural land and soil quality land grade classification
- Where land is shown as Grade 3 on the ALC maps further information will be required to establish whether it comprises Grade 3a or 3b.
- How the ALC would be protected or on completion of proposed operation, would be returned to the same agricultural land grade classification
- The quality of any agricultural land lost and justification for its loss
- Measures to safeguard soil quality during storage and restoration
- The quality and origin of imported soils/other waste materials and how they would improve the land for agricultural purposes.

Policy References and Further Guidance

Local

[Cumbria Minerals and Waste Local Plan 2015-2030](#)

- Policy SP16 - Restoration and aftercare
- Policy DC2 - General Criteria
- Policy DC6 - Cumulative environmental impacts

- Policy DC11 - Inert waste for agricultural improvement
- Policy DC21 - Protection of soils resources
- Policy DC22 - Restoration and Aftercare

National

- Natural England Guidance on [Assessing development proposals on agricultural land](#)
- [Agricultural Land Classification Maps](#) in particular:-
 - [Explanatory note for Likelihood of \(BMV\) Agricultural Land - Strategic scale maps](#)
 - [Likelihood of \(BMV\) Agricultural Land - Strategic scale map North West Region](#)
- National Planning Policy Framework (NPPF) - [Section 15 - Conserving and enhancing the natural environment](#)
- Parliamentary Statement by Secretary of State for Energy Security and Net Zero [made on 15 May 2024 re Solar and protecting our Food Security and Best and Most Versatile \(BMV\) Land](#)

3. Air Quality Assessments

Reasons for requirement

To ensure the impact of a proposal upon air quality is understood and to ensure it would not breach thresholds that could adversely impact health or the environment.

When is it required?

For any application that will result in emissions to air. Such as proposals that would generate dust from mineral extraction/blasting or other operational processes; odour; stack emissions; or high volumes of traffic. Also required where a development proposal is within or adjacent to an Air Quality Management Area (AQMA).

What is required?

Reports should include both existing baseline data and modelling assessment of predicted impact. Proposed assessment/receptor points should be agreed with the Council prior to submission.

Assessment of vehicle emission air quality impacts on local sensitive receptors, with mitigation measures and/or compensation measures identified. Traffic pollutants most likely to have local significance are nitrogen dioxide (NO₂) and suspended particulate matter (PM_{2.5} and PM₁₀). To be carried out in accordance with EPUK-IAQM and Defra TG (16) guidance. To cover impacts from vehicles at the construction phase and the operational phase whenever the indicative thresholds in the EPUK-IAQM guidance are to be exceeded [indicative minimum threshold or HDV flows (AADT) of 25 within/adjacent to AQMA, or 100 elsewhere; LDV flows (AADT) of 100 within/adjacent to AQMA, or 500 elsewhere.

In situations where the emissions are released close to buildings with relevant receptors, or where the dispersion of the plume may be adversely affected by the size and/or height of adjacent buildings (including situations where the stack height is lower than the receptor) then consideration will need to be given to potential impacts at much lower emission rates.

Policy References and Further Guidance

Local

[Cumbria Minerals and Waste Local Plan 2015-2030](#)

- Policy SP13 - Climate Change
- Policy DC2 - General Criteria
- Policy DC5 – Dust

National

[The Air Quality Standards \(Amendment\) Regulations 2010 \(as amended\)](#)

National Planning Policy Framework (NPPF) - [Section 15 - Conserving and enhancing the natural environment](#)

National Planning Practice Guidance (NPPG) - [Air quality section](#)

Defra's [PM2.5 Targets: Interim Planning Guidance](#)

Cumberland.gov.uk/your-environment/pollution/air-quality

[Sustainable Aggregates Research Report - Reducing the Environmental Effect of Aggregate Quarrying: Dust, Noise & Vibration \(2007\)](#)

4. Bioaerosol Assessment

When is it required?

All applications for new or extended facilities for the composting and anaerobic digestion of biodegradable waste materials.

Waste and waste management operations provide environments that are conducive to the release of bioaerosols into the air.

What is required?

This issue is closely related to the considerations relevant to the release of odours (see above) and the assessment and provision of information could be combined in appropriate cases. The assessment should identify the potential for the generation and release of odours from the development, the area that could be affected by bioaerosols, the potential impacts in that catchment area and the mitigation measures to prevent or minimise those impacts.

Policy References and Further Guidance

Local

[Cumbria Minerals and Waste Local Plan 2015-2030](#)

- Policy SP15 - Environmental Assets
- Policy DC2 – General criteria
- Policy DC6 – Cumulative environmental impacts

National

Technical Guidance Note (Monitoring) M9: Environmental Monitoring of Bioaerosols at Regulated Facilities (Environment Agency, July 2018)

Bioaerosol Monitoring at Regulated Facilities – Use of M9:RPS209 (Environment Agency, January 2018)

National Planning Policy Waste

WR1121: Bioaerosols and Odour Emissions from Composting Facilities (DEFRA, August 2013)

Bioaerosol emissions from waste composting and the potential for workers' exposure (Health and Safety Executive, 2010)

5. Biodiversity and Geodiversity: Habitat Assessment and Species Surveys

Reasons for requirement

To ensure the impact of a proposal upon ecological and geological assets is understood and to ensure appropriate avoidance, mitigation and compensation measures are applied to minimise impacts to an acceptable level.

When is it required?

Where a minerals or waste development proposal is likely to directly or indirectly adversely impact on internationally or nationally designated nature conservation sites, protected or priority species or habitats, or other important biodiversity or geological sites or features. This includes internationally designated sites such as Special Area of Conservation (SAC), Special Protection Areas (SPA), RAMSAR sites; nationally designated sites such as Sites of Special Scientific Interest (SSSI), National Nature Reserves (NNR), an Marine Conservation Zones (MCZ) and locally designated sites such as County Wildlife Sites (CWS) and Local Nature Reserves (LNR).

In addition, all development proposals including works as set out below will trigger the need for a protected species survey.

- Works affecting woodland, or hedgerows/lines of trees with an obvious connection to woodland or water

- works that involve the felling or lopping of veteran trees, trees with obvious cracks, holes and cavities or trees with a diameter greater than 1m at chest height
- works affecting gravel pits, quarries, natural cliff faces, or rock outcrops with crevices or caves
- major proposals within 500 metres of the perimeter of a pond, or 200 metres of rivers, streams, canals, lakes or other aquatic habitats
- major proposals within 500 metres of the perimeter of a pond, or 200 metres of rivers, streams, canals, lakes or other aquatic habitats
- Food lighting within 50 metres of woodland, water or hedgerows / lines of trees with an obvious connection to woodland or water
- Proposed development which includes the modification, conversion, demolition or removal of buildings and structures (especially roof voids) involving the following:
 - permanent agricultural buildings
 - buildings with wooden cladding or hanging tiles within 200m of woodland or water
 - pre-1960 buildings within 200m of woodland or water
 - pre-1919 buildings within 400m of woodland or water
 - tunnels, mines, kilns, ice houses, adits, military fortifications, air raid shelters, cellars and similar underground ducts and structures
 - bridges, aqueducts and viaducts

What is required?

A comprehensive initial habitat survey should comprise desk-based and field-survey based data. The desk-based element should including review of relevant national and local datasets. The field survey should be conducted to UKHABs methodology and standards and establish whether any protected or priority (BAP) species are known to be or likely to be present on the site, in which case the relevant species surveys will need to be carried out and submitted with an application. An application cannot be validated without species specific surveys where potential presence has been indicated. Absence of evidence is not evidence of species absence.

The survey and report should meet the CIEEM (Chartered Institute of Ecology and Environmental Management) Guidelines and be undertaken and prepared by competent persons with suitable qualifications and experience and must be carried out at an appropriate time and month of year, in suitable weather conditions and using nationally recognised survey guidelines / methods where available. Further information on appropriate survey methods can be found in the Technical Guidance Series published by CIEEM.

Survey reports are expected to identify and describe impacts likely to harm protected species and/or their habitats, designated sites, priority habitats and other listed biodiversity features identified by the survey (direct and indirect effects during construction and afterwards). Where harm is likely, evidence must be submitted assessing the impact of the proposals and that addresses long-term maintenance and management.

The habitats and/or species survey assessment report should clearly set out measures to avoid or mitigate harm upon internationally or nationally designated nature conservation sites, protected or priority species or habitats, or other important species or biodiversity or geological sites and features. Where such measures are not possible or sufficient, then compensatory measures should be set out.

The council will be working to the British Standard for Biodiversity – Code of practice for planning and development (BS 42020:2013). All Minerals and Waste Planning applications are expected to ensure that any pertinent biodiversity issues are addressed fully in accordance with BS 42020:2013. The British Standard is the benchmark and key reference document which is used by the council planning officers, planning consultants and ecological consultants working within Cumbria in relation to planning matters. Core concepts within BS 42020 which the council will be looking for in all planning matters relate to:

- demonstration that the mitigation hierarchy has been applied,
- use of competent professionals working in accordance with current best-practice
- provision of up-to-date survey information and reporting which stands up to scrutiny • the clear description, understanding and reporting of ecological impacts

It is our aim that the widespread adoption of, and working in accordance with BS 42020, will help to provide certainty and clarify to applicants and the council alike from pre-application discussions through to determination, as well as during construction and post-construction ecological monitoring and management.

Policy References and Further Guidance

Local

[Minerals and waste local plan | Cumberland Council](#)

- Policy SP15 - Environmental Assets
- Policy DC16 - Biodiversity & Geodiversity

National

[Wildlife and Countryside Act 1981](#)

[Protection of Badgers Act 1992](#)

[Natural Environment and Rural Communities \(NERC\) Act 2006](#)

[The Conservation of Habitats and Species Regulations 2017 \(as amended\)](#)

[National Planning Policy Framework - Section 15. Conserving and enhancing the natural environment](#)

National Planning Practice Guidance (NPPG) – [Natural Environment](#) and [Biodiversity Net Gain](#) sections.

BS 42020: 2013 Biodiversity – Code of practice for planning and development.

Geographic information about the natural environment available from [Magic.defra.gov.uk/](https://magic.defra.gov.uk/)

[The UK Habitat Classification System](#) (UKHABS)

[Cieem.net/](https://cieem.net/)

6. Biodiversity Net Gain

When is it required?

Biodiversity Net Gain (BNG) has applied to most new major development under the Town and Country Planning Act since 12 February 2024 and to small sites since 2 April 2024.

The exemptions where BNG is not required can be found at:

[Biodiversity net gain: exempt developments - GOV.UK](#)

What is required?

The application must be accompanied by the following information:

- confirmation that the applicant believes that planning permission, if granted, the development would be subject to the biodiversity gain condition
- the pre-development biodiversity value(s), either on the date of application or earlier proposed date (as appropriate)
- where the applicant proposes to use an earlier date, this proposed earlier date and the reasons for proposing that date
- [the completed metric calculation tool](#) showing the calculations of the pre-development biodiversity value of the onsite habitat on the date of application (or proposed earlier date) including the publication date of the biodiversity metric used to calculate that value
- a statement whether activities have been carried out prior to the date of application (or earlier proposed date), that result in loss of onsite biodiversity value ([‘degradation’](#)), and where they have:
 - a statement to the effect that these activities have been carried out
 - the date immediately before these activities were carried out
 - the pre-development biodiversity value of the onsite habitat on this date
 - the completed metric calculation tool showing the calculations, and
 - any available supporting evidence of this
- a description of any [irreplaceable habitat](#) (as set out in [column 1 of the Schedule to the Biodiversity Gain Requirements \(Irreplaceable Habitat\) Regulations 2024](#)) on the land to which the application relates, that exists on the date of application, (or an earlier date); and
- plan(s), drawn to an identified scale and showing the direction of North, showing onsite habitat existing on the date of application (or earlier proposed date), including any irreplaceable habitat (if applicable).

In order to fulfil the National Planning Policy Framework requirement for net gain in biodiversity, the DEFRA biodiversity metric calculation should show a net positive score.

Policy References and Further Guidance

National

[Biodiversity net gain - GOV.UK](#)

[National Planning Policy Framework - GOV.UK](#) Chapter 15 (Conserving and Enhancing the natural Environment)

7. Biodiversity: Shadow Habitat Regulations Assessment

Reasons for requirement

To ensure the potential impact of a proposal upon European protected nature conservation site (SAC, SPA or RAMSAR site) is appraised and appropriate mitigation is secured.

When is it required?

If a European protected nature conservation site may be directly or indirectly affected, either during the construction or operational phase of a development proposal then sufficient supporting information and appraisal of likely effects on these protected habitat sites must be submitted in the form of Shadow Habitats Regulations Assessment (sHRA) in order for the council to discharge its duty with regard to Part 6 Regulation 63 (1) of The Conservation of Habitats and Species Regulations 2017 (as amended) [the Habitat Regulations]. Part 6 Regulation 63 (2) of the Habitats Regulations is clear that the applicant is required to provide sufficient information to enable the Local Planning Authority to complete their assessment.

What is required?

- A clearly written sHRA with sufficient information to assess the likely significant effects (i.e. Impacts) of a proposal on European protected nature conservation site(s). This may necessitate the need for new field survey data in some instances.
- The sHRA must be undertaken by a competent person with suitable ecological qualifications and experience.
- The sHRA may necessitate submission of an outline Construction Environmental Management Plan in support of an application.

Policy References and Further Guidance

Local

[Cumbria Minerals and Waste Local Plan 2015-2030](#)

- Policy SP15 - Environmental Assets
- Policy DC16 - Biodiversity & Geodiversity

- Policy DC20 - The Water Environment

National

[The Conservation of Habitats and Species Regulations 2017 \(as amended\)](#)

[National Planning Policy Framework - Section 15. Conserving and enhancing the natural environment](#)

National Planning Practice Guidance (NPPG) section on [Habitat Regulations Assessment](#)

DEFRA [Guidance on Habitats Regulations Assessments](#)

[Natural England Standard: Habitats Regulations Assessment \(NESTND026\)](#)

BS 42020: 2013 Biodiversity – Code of practice for planning and development.

Geographic information about the natural environment available from Magic.defra.gov.uk/

8. Bird Strike Assessment

Reasons for requirement

Certain proposals might increase the risk of collision between aircraft and birds due to the creation of a bird strike hazard near airfields.

When is it required?

For proposal that fall within the 13km safeguarding zones around Carlisle Airport or Walney Island Airfield (which extends to cover land in and around Millom) and that involve:

- new or extended open quarrying, landfill or sewage disposal, wastewater treatment plants and outfall sites whose operation or proposed restoration has the potential to attract a notable increase in birds. This includes applications for any revised restoration proposals. Restoration proposals that could attract bird populations/activity include establishment of nature reserves, bird sanctuaries, lakes, ponds, wetlands and marshes, bodies, extensive planting of tree/bush species. Similarly wet working and/or winter flooding of any voids also need to be considered as a potential hazard as they may encourage species hazardous to aircraft.
- the transfer, storage, processing, treatment or disposal of non-inert putrescible wastes which could attract gulls.

What is required?

- Scope of the assessment to be agreed with the council – particular attention should be directed to landscaping schemes and identify strike risks.
- A Bird Strike Hazard Management Plan may be required as part of the assessment. It is a mandatory requirement where some increase in open

water area is unavoidable in these airfield safeguarding zones. Such a plan should set out which species need to be controlled and methods for deterring them.

Policy References and Further Guidance

National

[The Town and Country Planning \(safeguarded aerodromes, technical sites and military explosives storage areas\) Direction 2002](#)

9. Blasting Scheme

Reasons for requirement

To ensure the impacts of quarry blasting upon amenity, human health, and the natural and historic environment are appraised and minimised.

When is it required?

Where blasting with explosives is proposed in relation to minerals development.

What is required?

An assessment of the environmental effects relating to ground vibration, air over pressure, noise, dust and fly rock shall be submitted, with details of proposed mitigation and control measures. Improvement/maintenance of regression line modelling for existing sites and the procedure to establish, develop and improve the regression line model for new sites.

Policy References and Further Guidance

Local

[Cumbria Minerals and Waste Local Plan 2015-2030](#)

- Policy DC4 - Quarry Blasting

National

National Planning Policy Framework - [Section 17 - Facilitating the sustainable use of minerals](#)

[The Quarries Regulations 1999](#)

[Sustainable Aggregates Research Report - Reducing the Environmental Effect of Aggregate Quarrying: Dust, Noise & Vibration \(2007\)](#)

10. Borehole or Trial Pit Analysis

Reasons for requirement

For mineral extraction proposals and ground/water monitoring analysis.

When is it required?

For all mineral boreholes or trial pits in relation to mineral and waste workings.

What is required?

- depth and volume of soils and minerals proposed to be extracted.
- mineral type, position of the winter water table and should include the results of soakage tests.

11. Borrow Pits

Reasons for requirement

For mineral extraction proposals and site investigation works.

When is it required?

Most mineral extraction normally takes place in established mines and quarries in order to sustain traditional needs and markets. However, there are two situations where this may not be the case. Firstly, minerals may be extracted as an incidental part of another development including the working of other minerals. Secondly, they can be worked within a borrow pit in order to meet the temporary needs of a construction project.

In general, it should usually be possible to meet requirements from local established quarries or from waste materials and the use of secondary aggregates. In such circumstances borrow pits can normally only be justified where they offer clear environmental gains over alternative sources of supply. For example, where borrow pits are adjacent to construction sites the most obvious environmental benefits will be the avoidance of heavy traffic on public highways. There will also be significant economic and energy savings because of the reduced haulage costs.

What is required?

An appropriate statement identifying:

- Need and purpose of borrow pit;
- Restoration scheme;
- Timescale;
- Location of works in relation to borrow pit;
- Amount of material required from borrow pit;
- Access and traffic/transport movements;
- Ecology and Biodiversity Net Gain;
- Archaeological report;

Policy References and Further Guidance

Local

[Cumbria Minerals and Waste Local Plan 2015-2030](#)

- Policy DC12 - Criteria for non-energy minerals development

National

12. Climate Change Statement

Reasons for requirement

New development must help to reduce carbon emissions and help our communities adapt to the risks associated with and the impacts of a changing climate.

When is it required?

For all minerals and waste management development proposals.

What is required?

The statement should provide information to demonstrate that:

- Energy management and resource efficiency have been determining factors in the design of the development. Submitted information must show how the development would contribute to a carbon reduction strategy or plan for the site or how the 'whole life' greenhouse gas emissions of the product or process would be reduced by the proposed development.
- Water use and the requirement for wastewater treatment have been minimised; for example, through the inclusion of sustainable drainage systems and sustainable water management systems.
- The waste management hierarchy – prevention/reduction, re-use, recycling, disposal – has been applied at its highest level.
- Where on-site buildings are proposed, their design and layout promote energy conservation through their orientation, construction materials (for example; locally sourced or recycled) and methods.
- The location of the site would minimise, as far as practicable, the 'minerals or waste road miles' involved in supplying the minerals or managing the wastes, including the use of non-road transport.
- Where the proposed development would affect or is adjacent to peat bog, the carbon emissions would not be significantly increased and the condition of the remaining peat bog would not be adversely affected.
- Restoration and after use proposals would help to mitigate for or adapt to climate change; for example how biodiversity net gains would be achieved and how green/blue infrastructure would be incorporated to mitigate and respond to climate change.
- Opportunities to increase the proportion of energy derived from renewable sources, including opportunities for on-site renewable and low carbon technologies have been considered and incorporated as far as possible.

The extent of information should be proportionate to the scale of the proposed development.

Policy References and Further Guidance

Local

Cumbria Minerals and Waste Local Plan 2015-2030

- Policy SP13 - Climate change mitigation and adaptation
- Policy SP15 - Environmental assets
- Policy DC2 - General criteria
- Policy DC7 - Energy from waste
- Policy DC8 - Renewable energy use and carbon reduction on existing minerals and waste sites
- Policy DC13 - Criteria for energy minerals
- Policy DC22 - Restoration and aftercare

National

National Planning Policy Framework - Section 15. Conserving and enhancing the natural environment

National Planning Practice Guidance (NPPG) – [Climate Change](#) section.

Further guidance on the fundamentals of climate change and climate change can be found via the following link: [Climate change explained - GOV.UK](#)

13. Coal Mining Risk Assessment

Reasons for requirement

There is a legacy of past coal mining activity in the council area. Required in order to ensure coal mining related land stability issues are appraised and taken into account in the assessment of planning applications.

When is it required?

Where any proposed development falls within, or partly within, the Mining Remediation Authorities' 'development high risk areas' (formerly known as Coal Mining Development Referral Areas).

There are some exemptions which are set out within the Mining Remediation Authority's Exemptions List which can be found at: [Gov.uk/guidance/planning-applications-coal-mining-risk-assessments](#)

What is required?

A desk-based report produced by a qualified and competent person (Coal Mining Risk Assessment). The report should including information on the following:

- site specific coal mining information to include past, present and future underground mining
- details of shallow coal workings – both recorded and probable
- mine entries – shafts and adits
- mine gas risks
- any recorded safety hazards
- past and present surface mining sites
- identification of risks of the coal mining features to the new development

The report should provide an informed assessment of how any identified risks have influenced the design of the development and whether the permission of the Mining Remediation Authority (formerly known as the Coal Authority) will be required for any on site investigations and when such permission will be obtained.

The Mining Remediation Authority can be contacted for further guidance on production of this type of assessment.

Policy References and Further Guidance

Local

[Cumbria Minerals and Waste Local Plan 2015-2030](#)

- Policy DC2 - General criteria
- Policy DC22 - Restoration and aftercare

National

[National Planning Policy Framework - Section 15. Conserving and enhancing the natural environment](#)

Mining Remediation Authority [Guidance on Planning applications and Coal Mining Risk Assessments](#)

14. Construction Dust Assessment

Reasons for requirement:

To ensure the impact of a proposal upon dust is understood and to ensure it would not breach thresholds that could adversely impact health or the environment.

- Where development is to be located within an AQMA.
- Where development proposal is likely to generate dust and human and ecological sensitive receptors are within 350m from the site or within 100m from construction road route.

When is it required?

For any application that will result in dust emissions. Such as proposals that would generate dust from mineral extraction/blasting or other operational processes; odour; stack emissions; or high volumes of traffic. Where development is to be located within an AQMA. Where development proposal is likely to generate dust and human and ecological sensitive receptors are within 350m from the site or within 100m from construction road route.

What is required?

Construction-phase dust impacts should be assessed using a methodology based on the good-practice approach described in IAQM's Guidance on the assessment of dust from demolition and construction (version 1.1 or subsequent revisions), to estimate the impacts of both PM10 and nuisance dust, together, through a singlerisk-based assessment procedure; The controls and mitigation that will be applied to avoid adverse impacts should be stated, based on the same IAQM guidance;

Monitoring should be based on the separate IAQM Guidance on Air Quality Monitoring in the Vicinity of Demolition and Construction Sites.

Policy References and Further Guidance

Local

[Cumbria Minerals and Waste Local Plan 2015-2030](#)

- Policy DC2 – General criteria
- Policy DC5 – Dust

National

IAQM guidance v4.0 - January 2024 7

Guidance on the Assessment of Mineral Dust Impacts for Planning (May 2016 or subsequent revisions)

Guidance on the assessment of dust from demolition and construction (Version 1.1 or subsequent revisions).

Land-Use Planning and Development Control: Planning for Air Quality

[Planning Practice Guidance: Air quality](#)

15. Contaminated Land Survey/Risk Assessment

Reasons for requirement

- To safeguard human health and the environment, including controlled waters.
- To ensure potential for contamination and any risks arising are appropriately assessed and where necessary remediation measures incorporated to deal with unacceptable risks.
- To support appropriate opportunities to remediate contaminated land in line with the NPPF.

When is it required?

Where there is a likelihood of land contamination from past uses of the land or as a result of the new development disturbing existing contamination. Past or present uses which could lead to land contamination may include industry activity, chemical and fuel storage, treat and disposal of waste and sites located close to existing landfill sites (usually within 250 metres).

Uses and land highly likely to be contaminated include:

- smelters, foundries, steel works, metal processing and finishing works
- coal and mineral mining and processing, both deep mines and opencast
- heavy engineering works (car manufacture, shipbuilding)
- military related activities
- electrical and electronic equipment manufacture and repair
- gasworks, coal processing plants and power stations

- oil refineries, petroleum storage and distribution sites
- manufacture and use of asbestos, cement, lime and gypsum
- manufacture of organic and inorganic chemicals, including pesticides, acids, alkalis, pharmaceuticals, solvents, paints, detergents and cosmetics
- rubber industry, including tyre manufacture
- munitions and explosives production and testing and storage sites
- glass making and ceramics manufacture
- textile industry, including tanning and dyestuffs
- paper and pulp manufacture, printing works and photographic processing
- timber treatment
- food processing industry and catering establishments
- railway depots, dockyards (including filled dock basins), garages, road haulage depots and airports
- landfill, storage and incineration of waste
- sewage works, farms, stables and kennels
- abattoirs, animal waste processing and burial of diseased livestock
- scrap yards
- dry cleaning premises
- all types of laboratories

Uses and land might possibly be contaminated:

- industry involving radioactive substances
- burial sites and graveyards
- agriculture – excessive use of pesticides, herbicides, fungicides, sewage sludge and farm waste • naturally occurring radioactivity (including radon)
- naturally occurring concentrations of metals and other substances
- methane and carbon dioxide production and emissions in coalmining areas, wetlands, peat moors or former wetlands

What is required?

An evaluation of any risks arising from potential contamination and proposed remediation measures to be considered on the basis of both the existing and proposed land use.

Initially, a Phase 1 desktop survey of the site would be required – this would provide an investigation into the history of the site in terms of its past and present uses and should identify potential sources, pathways and receptors for pollutants.

The survey would mainly draw information from historical information regarding the site. Depending on the findings of the Phase I study, an intrusive Phase 2 site investigation maybe required which requires physical examination of the site and land and include examination of the ground structure beneath the surface.

Depending on the findings of the Phase 2 report, a detailed programme of remediation works may be recommended that has to be carried out prior to development commencing or certain stages of development completing.

The survey and risk assessment should be prepared by a competent and qualified person.

A Phase 1 report will be required to validate the planning application. Subsequent reports may be secured by planning condition although depending on timescales can be submitted for consideration during determination of the application.

Policy References and Further Guidance

Local

[Cumbria Minerals and Waste Local Plan 2015-2030](#)

- Policy SP16 - Restoration and Aftercare
- Policy DC20 - Water Environment

National

National Planning Policy Framework – Sections [11 – Making Effective Use of Land](#); and [15 Conserving and enhancing the natural environment](#)

National Planning Practice Guidance (NPPG) - [Land affected by contamination](#)

Cumbria Contaminated Land Officer Group - [Development of Potentially Contaminated Land and Sensitive End Uses An Essential Guide for Developers – Rev.C \(January 2013\)](#)

British Standard BS10175 (2011) +A2:2017 - Code of Practice for the Investigation of Potentially Contaminated Sites.

16. Cumulative Impact Assessment

Reasons for requirement

To ensure cumulative impacts of a proposal in conjunction with existing and approved development upon communities, the environment and infrastructure are adequately assessed and addressed.

When is it required?

Where a proposal may exacerbate adverse impacts caused by other developments. Such cumulative impacts can derive from either a number of developments with similar impacts being operational at the same time, or from a number of concurrent developments in an area with different impacts or from a succession of similar developments over time. It can involve existing development and recently approved or implemented planning permissions. Minerals and Waste proposals will need to demonstrate that cumulative impact considerations have been adequately assessed and addressed in their planning application.

In some cases the Cumulative Impact Assessment may form part of another supporting document such as Environmental Impact Assessment and/or Landscape Visual Impact Assessment.

What is required?

An assessment of the cumulative impact of the combined activities in respect of the:

- amenity and health of local communities,
- economy,
- environment (habitats, species, landscape character, cultural heritage, air quality, water resources & flooding, agricultural resources),
- traffic (type, size and numbers of vehicles generated, from site preparation to final restoration and potential impacts on the highway network and safety)

Policy References and Further Guidance

Local

[Cumbria Minerals and Waste Local Plan 2015-2030](#)

- Policy DC6 - Cumulative Impacts

National

National Planning Practice Guidance (NPPG) – [Minerals Section](#) - Paragraph: 017
Reference ID: 27-017-20140306

17. Daylight/Sunlight Assessment

Reasons for requirement

To ensure proposals do not unacceptably impact existing levels of daylight or sunlight of neighbouring properties in the interests of residential amenity and/or living or working conditions.

When is it required?

In circumstances where there is a potential adverse impact upon the current levels of sunlight/daylight enjoyed by adjoining properties or building(s), including associated gardens or amenity space. This is more likely in the case of proposals for built development that is close to residential property but may also be required where infrastructure or landscape design (e.g. bunds) associated with Minerals and Waste development proposals have potential to impact on neighbouring property.

What is required?

The assessment should identify the impact of the proposals on neighbouring properties/uses in terms of shadow cast/overshadowing impacts. Sufficient information would be required to enable the existing and expected levels of sunlight to be determined.

Policy References and Further Guidance

Local

[Cumbria Minerals and Waste Local Plan 2015-2030](#)

- Policy DC2 - General criteria

National

National Planning Policy Framework - [Section 12 - Achieving well-designed places](#)

[“Site layout planning for daylight and sunlight: A guide to good practice” – Third Edition 2022.](#)

Dust Impact Assessment

Reasons for requirement

To ensure due regard is given to the potential for dust soiling to arise as this could adversely impact upon amenity.

When is it required?

Where operational activities are likely to generate dust emissions. Mainly applicable to applications for new Minerals and Waste Management development but may also be required for applications for lateral and temporal extensions of existing facilities, where dust impact is a recognised issue, or where operational changes may occur. Also required in relation to dry construction, demolition or excavation waste processing operations.

What is required?

An assessment undertaken by a competent person that:

- establish baseline conditions of the existing dust climate around the site of proposed operations
- identify site activities that could lead to dust emission without mitigation
- identify site parameters which may increase potential impacts from dust
- proposed mitigation measures
- make proposals to monitor and report dust emissions to ensure compliance with appropriate environmental standards and to enable an effective response to complaints

Policy References and Further Guidance

Local

[Cumbria Minerals and Waste Local Plan 2015-2030](#)

- Policy DC2 – General Criteria
- Policy DC5 – Dust

National

- National Planning Policy Framework - [Section 17 - Facilitating the sustainable use of minerals](#)
- National Planning Practice Guidance (NPPG) – [Minerals Section - Gov.uk/guidance/minerals#Dust-emissions](#). NB. Referred to in the NPPG as a *Dust Assessment Study*.
- [Institute of Air Quality Management \(IAQM\) - Guidance on the Assessment of Mineral Dust Impacts for Planning \(May 2016\)](#)

18. Economic Statement

Reasons for requirement

Where proposals require justification on the grounds of the economic or regeneration benefits that a development would bring, particularly for major developments.

When is it required?

- for all proposals which will have a significant impact in terms of employment and job creation, details should be provided of the anticipated benefits
- for some more complex proposals there may need to be consideration of whether the effect of job creation/skills upgrading as a result of the new development, would have any adverse impact in terms of attracting staff away from other local services and industries

N.B For minerals proposals please refer to the separate topic Minerals Need and Viability Assessment which addresses issues of land banks and financial viability

What is required?

- demonstrating how proposals will contribute to the delivery of economic development and regeneration strategies at regional, sub-regional and local levels
- identification of any regeneration benefits from the proposed development, including; details of any new jobs that might be created or supported; any community benefits; and reference to any regeneration strategies that might lie behind or be supported by the proposal
- details of the number and type of jobs that will be retained or created as a result of the development and any skills/training provision that will be delivered.
- if appropriate, consideration of the wider socio-economic impact of attracting employees away from existing services and industries and how this gap in local workforce/skill set can be addressed
- a summary of the economic benefits (and any drawbacks)

Policy References and Further Guidance

Local

[Cumbria Minerals and Waste Local Plan 2015-2030](#)

- Policy SP14 - Economic Benefit

National

National Planning Policy Framework – [Section 6 - Building a strong, competitive economy](#)

19. Environmental Impact Assessment (EIA) aka Environmental Assessment (EA)

Reasons for requirement

To ensure that development which may have a significant effect upon the environment is accompanied by detailed environmental information and assessment.

When is it required?

The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (EIA Regulations) set out the circumstances/criteria under which an EIA is required. An EIA is required to accompany all applications for Schedule 1 developments and may be required for some Schedule 2 developments dependent on the outcome of a screening exercise. Developers should request a Screening Opinion at an early stage to avoid delays on major development proposals.

What is required?

The Regulations require the developer to describe the likely significant effects of a development on the environment and to set out the proposed mitigation measures. Schedule 4 of the regulations set out the information that should be included in an Environmental Statement.

A Scoping Opinion should be sought from the council regarding the level and nature of what is required to be included in any environmental statement for EIA development.

Policy References and Further Guidance

Local

[Cumbria Minerals and Waste Local Plan 2015-2030](#)

- Policy SP15 - Environmental Assets
- Policy DC16 - Cumulative Impact

National

[The Town and Country Planning \(Environmental Impact Assessment\) Regulations 2017](#)

National Planning Practice Guidance (NPPG) – [Environmental Impact Assessment Section](#).

20. Flood Risk Assessment

Reasons for requirement

To ensure development does not experience or result in unacceptable degrees of flood risk.

When is it required?

- for any development of 1ha or greater in size
- any new development which lies within River or Coastal Flood Risk Zones 2 or 3
- for any new development within flood risk zone 1 where a council strategic Flood Risk Assessment (SFRA) shows it will be at increased risk of flooding during its lifetime
- for proposals in areas with critical drainage problems – that is to say a designated critical drainage areas or where the Environment Agency, Internal Drainage Body or other relevant bodies have indicated there may be a drainage problem
- If a proposal increases the [vulnerability classification](#) and may be subject to sources of flooding other than rivers or sea.
- for significant extensions or increases in areas of hard surfacing within the functional floodplain or adjacent to a main river.
- any applications for engineering operations or land raising which may significantly increasing surface water run-off to watercourses and soakaways

What is required?

- Identification and assessment of the risks of all forms of flooding to and resulting from the development, taking into account climate change.
- Demonstration of how the risk of flooding will be managed.
- Demonstration that the development complies with the policies contained in the National Planning Guidance.
- Inclusion of an Emergency Planning Statement detailing flood warning and evacuation measures where applicable.
- For developments within Flood Zones 2 and 3, where applicable, a Sequential and exception test should be clearly set out.

Policy References and Further Guidance

Local

[Cumbria Minerals and Waste Local Plan 2015-2030](#)

- Policy SP13 - Climate Change
- Policy DC19 - Flood Risk

National

National Planning Policy Framework – [Section 14 \(Meeting the challenge of climate change, flooding and coastal change\)](#)

National Planning Practice Guidance (NPPG) – [Flood risk and coastal change section](#)

Environment Agency [Guidance on Flood risk assessments: applying for planning permission](#)

[Cumbria Minerals & Waste Local Plan – Strategic Flood Risk Assessment \(June 2018\)](#)

21. Foul Drainage Statement

Reasons for requirement

To ensure a satisfactory standard of foul drainage where office/welfare facilities are provided in connection with proposals to establish a new mineral extraction site or waste management site which is operated throughout the year.

When is it required?

Where the application form has indicated that foul drainage is not proposed to connect to a mains sewer or for major developments connecting to the public sewer infrastructure.

What is required?

- A **Mains foul drainage assessment** for major developments incorporating foul drainage into the public sewer, we advise early discussions with United Utilities to determine whether or not a load or flow assessment should be submitted with the planning application, in order to demonstrate the impact of the development on the public sewer infrastructure.
- A **Non-Mains foul drainage assessment** - an assessment to demonstrate why a connection to the public sewer is not possible. The Environment Agency has produced a foul drainage assessment form that applicants should submit with planning applications where they propose the use of non-mains drainage systems.

22. Geotechnical Assessment/Appraisal – Includes Land/Slope Instability

Reasons for requirement

To ensure risks are appropriately addressed.

When is it required?

Where the proposal is on land or adjoining land which is known to be unstable or potentially unstable or has the potential to create instability on adjoining land. This will include any proposals which involve major soil and spoil movements (including the creation of bunds) and where significant changes to ground levels are required to accommodate the development proposal.

What is required?

- Information on the physical capability of the land and its current structure and composition.
- A Land Stability and/or Slope Stability Risk Assessment as appropriate.
- Any areas of instability or potential hazards should be identified through appropriate survey work and intrusive investigations of the site and the possible effects of the development on neighbouring land investigated and assessed.
- Appropriate and realistic remediation measures should be identified within the assessment.
- Where reports show there is potential for instability details of arrangements for monitoring ground water shall be submitted together with details of any necessary remediation details to prevent landslips.

Policy References and Further Guidance

Local

[Cumbria Minerals and Waste Local Plan 2015-2030](#)

- Policy DC2 - General Criteria
- Policy DC8 - Renewable energy use and carbon reduction on existing minerals and waste sites
- Policy DC12 - Criteria for non-energy minerals development
- Policy DC22 - Restoration and Aftercare

National

National Planning Practice Guidance (NPPG) – [Land Stability section](#).

Geological information on specific sites can be obtained from the [British Geological Society](#).

Further information on the responsibility of mineral operators in terms of land stability can be found in the [Mines and Quarries Act 1954](#)

23. Glint and Glare Assessment

Reasons for requirement

To ensure risks of glint and glare are established and appropriately addressed.

When is it required?

- Where minerals and waste proposals also involve the establishment of large scale solar arrays.
- Any development involving 'tracking' solar panels
- For proposals that fall within the 13km safeguarding zones around Carlisle Airport or Walney Island Airfield (which extends to cover land in and around Millom) or in proximity to any other airfield.

What is required?

An assessment should demonstrate the glint/glare effects of the proposed solar panels and set out any measures proposed to address any such effects. The assessment should include:

- A sun position and reflection model
- Identification of receptors
- Magnitude of impact
- Baseline conditions
- Impact assessment
- Details of any Mitigation

Policy References and Further Guidance

Local

[Cumbria Minerals and Waste Local Plan 2015-2030](#)

- Policy DC2 - General Criteria
- Policy DC8 - Renewable energy use and carbon reduction on existing minerals and waste sites

National

National Planning Practice Guidance (NPPG)

24. Health Impact Assessment

Reasons for requirement

To consider the health outcomes that may arise as a result of a planning proposal on a population.

When is it required?

Where development proposals have potential to impact on the health and well-being of communities and health infrastructure. This could be through the effects of emissions to air and water or the socio-economic impact (e.g. jobs created or lost).

What is required?

- Appraisal of the potential positive and negative impacts of a proposal on the host local communities and any adjacent/nearby communities, identifying any differential distribution of impacts on health among groups within the population, and suggestion of actions to minimise any potential negative health impacts and maximise potential positive health impacts.
- Considerations should include how the proposal supports physical activity and promotes healthy lifestyles (e.g.- access to open space and recreational facilities; promoting walking/cycling as a transport choice); potential pollution and other environmental hazards which might lead to an adverse impact on human health; what are the positive and negative socio-economic impacts (e.g. new job creation, displacement of existing workforce, need for increased skills and training); whether any increase in resident population or migrant workforce would place a strain on local healthcare services; an assessment of whether different sectors of society are more or less likely to benefit from or be disadvantaged by the impacts identified.
- Determination of the scale of health and wellbeing impacts generated by the development proposal.
- The HIA can be a freestanding report or can be incorporated into another required appraisal such as an EIA. If within an existing report, it is good practice to set out as a separate chapter. It may be that in the case of non-EIA development, a separate HIA is more commonly required if the assessments on pollution, socio-economic impact etc. are not being produced in other supporting documents.

Policy References and Further Guidance

Local

[Cumbria Minerals and Waste Local Plan 2015-2030](#)

- Policy DC2 – General Criteria
- Policy DC4 - Quarry Blasting
- Policy DC5 - Dust
- Policy DC6 - Cumulative Impacts

National

[The Town & Country Planning \(Environmental Impact Assessment\) Regulations 2017](#)

National Planning Policy Framework – [Section 8 – Promoting healthy and safe communities](#)

National Planning Practice Guidance (NPPG) – [Healthy and safe communities](#)

25. Heritage Statement

Reasons for requirement

The historic environment including all heritage assets and their setting need to be conserved and enhanced in a manner appropriate to their intrinsic historic value and significance, their importance to local character, distinctiveness and sense of place and for their social, cultural, economic and/or environmental benefits and values

When is it required?

- For any minerals or waste proposal which will impact upon a designated heritage asset, or its setting. A designated heritage asset is a listed building, scheduled monument, conservation area, registered park and garden, and registered battlefield
- any proposal which will impact on archaeological assets, whether designated or not, or has the potential to impact upon currently unknown archaeological assets
- Any proposals which may affect non-designated heritage assets. These may include buildings, monuments, sites, places, areas or landscapes; identified as having a degree of heritage merit worthy of consideration in planning decision but not formally designated as heritage assets.

What is required?

The statement should be proportionate to the scale of development, proximity to heritage assets and likely impact. It will need to identify and describe any heritage assets within or in close proximity to the application site; consider any potential impact the development may have either directly on the heritage asset, or on its wider setting, and demonstrate how the potential impacts have been avoided or minimised in the final scheme design.

Assessment may include consideration of the visual impact of development on the appearance and setting of heritage assets (whether buildings or landscape). The assessment may be desk-based initially but could lead to further investigative work being required (e.g. geophysical survey; trial trenching) in order for impact to be fully assessed prior to determination of the application.

A heritage statement would normally consist of three parts;

1. an assessment of the significance of the heritage asset,
2. an assessment of the impact on the heritage asset and
3. a justification and mitigation statement for the impact of the proposal on the heritage asset.

Where some level of harm to heritage assets cannot be avoided, the developer should provide justification for the impact and make recommendations for mitigation or, if sufficient justification is provided, compensation for its loss.

Policy References and Further Guidance

Local

[Cumbria Minerals and Waste Local Plan 2015-2030](#)

- Policy SP15 - Environmental Assets
- Policy DC17 - Historic Environment
- Cumbria Historic Environment Record

National

National Planning Policy Framework - [Section 16 - Conserving and enhancing the historic environment](#)

National Planning Practice Guidance (NPPG) – [Historic Environment section](#)

[Historic England's Guidance](#)

[National Heritage List for England \(NHLE\)](#)

[Cumbria Historic Environment Record \(HER\)](#) – for information in respect of archaeological assets

26. High Pressure Pipeline

Reasons for requirement:

Pipeline operators do not have statutory powers although may have legal agreements in place on land and clearly this is a matter that has significant health and safety implications.

When it's required?

For all developments involving excavation or below ground works. There are special requirements for safe working in close proximity to a high pressure pipeline and proposed works require approval from a pipeline operator prior to commencing.

What is required?

For all developments where excavation or below ground works are proposed an applicant must carry out a search to determine whether a high pressure pipeline is present in the vicinity of the application site. Most pipeline operators are signed up to Linesearch and it is recommended a search should be carried out using the Linesearch tool to establish the presence of pipeline infrastructure. The results of any pipeline search undertaken are to be submitted with a planning application.

Policy References and Further Guidance

National

Line search before u dig

National Grid - Check before you dig - location of our cables and equipment

Cadent Gas Network

Gas Network

27. Hydrological / Hydrogeological Risk Assessment

Reasons for requirement

To determine the potential impacts upon, and protect, the water environment as minerals and waste proposals have the potential to deplete, alter or pollute existing groundwater or surface water regimes.

When is it required?

For new minerals extraction proposals (including extensions laterally & in-depth) and new waste proposal which involves working below the water-table or involves the creation of permanent water bodies within their restoration scheme.

What is required?

- A site specific hydrological and/or hydrogeological assessment that considers and address the risks posed to all ground and surface water resources (quality and flow) on and within the vicinity of the site. A hydrological and hydrogeological survey forms the foundation of this. This should establish baseline geology, aquifer status, hydrology, groundwater and surface water flows, water levels and volume/flow monitoring, water quality, abstractions and interactions with habitats sites. It should consider pathways and receptors, establish a conceptual site model, establish risk profile(s) and set out technical precautions and proposed mitigations and monitoring regime.
- With specific respect to mineral applications, there is a requirement to establish the relationship that the development has with the water table. A series of boreholes will be needed to help establish this. If the base of the excavation is near or below the anticipated water table, then there will be a requirement to establish an appropriate monitoring scheme. In some circumstances, the development may be considered unacceptable if it is carried out below the level of the water table.
- Where interaction with the water-table is likely, the Risk Assessment will need to include a detailed section upon groundwater.
- Where watercourses are directly affected – either physically or in terms of changes to flow volumes, consideration of hydrogeomorphic impacts and any potential mitigations will also need to be set out.

Policy References and Further Guidance

Local

[Cumbria Minerals and Waste Local Plan 2015-2030](#)

- Policy SP13 - Climate Change
- Policy SP15 - Environmental Assets
- Policy DC19 - Flood Risk
- Policy DC20 - Water Environment

- Policy DC22 - Restoration and Aftercare

National

[Water Resources Act 1991](#) (amended by [Water Act 2003](#)) - The Act states that it is an offence to cause or knowingly permit polluting, noxious, poisonous or any solid waste matter to enter controlled waters. The Act was revised by the Water Act (2003) which sets out regulatory controls for water abstraction, discharge to water bodies, water impoundment and protection of water resources.

[Land Drainage Act 1991](#) - The Act places responsibility for maintaining flows in watercourses on landowners and gives Local Authorities powers to serve a notice on landowners to ensure works are carried out to maintain flow of watercourses.

National Planning Policy Framework – [Section 14 \(Meeting the challenge of climate change, flooding and coastal change\)](#)

National Planning Practice Guidance (NPPG) - [Water supply, wastewater and water quality section](#) and [Minerals section](#) (Annex C – Ground & surface Water)

Environment Agency Guidance - [Protect groundwater and prevent groundwater pollution](#)

28. Landscape and Visual Impact Assessment

Reasons for requirement

To assess the impact of any individual development on the character, setting and visual amenity of the surrounding landscape and any sensitive receptors within it.

When is it required?

- Any development proposal which has potential to adversely impact on the character and appearance of the surrounding landscape, having regard to public viewpoints and the sensitivity of the landscape
- In most cases a full Landscape and Visual Impact Assessment will be required to be prepared in accordance with the latest Landscape Institute guidelines
- In some cases a Landscape Visual Appraisal may be sufficient. This is still prepared by a landscape architect to industry standards but focusses more on the capacity of the landscape to accommodate the proposed development. It does not need to include the full technical assessment of significance and magnitude of visual impact.
- For minor developments, this could be achieved by providing photographs from identified public viewpoints to provide an informal assessment.

What is required?

- The LVIA report will need first to identify the Zone of Theoretical Visibility (ZRV) with reference to public viewpoints close to the site and in the wider landscape. It will need to take into account long distance views

- The report should then identify the landscape characteristics of the site and surrounding area; consider its capacity for accommodating change and identify the viewpoints from which the development proposals can be seen
- An assessment is then made of the magnitude and significance of the change on the landscape the development will bring about on each viewpoint and then on the landscape overall
- Where appropriate the LVIA may recommend mitigation in the form of revised site layouts, landscape screening and bunding to make the proposals acceptable in terms of landscape impact
- The LVIA will include photographs of the application site from public viewpoints but photomontages may also be incorporated to demonstrate the initial impact of the development and then at subsequent stages as any proposed landscape planting matures
- The extent of LVIA or LVA required should be confirmed with the council prior to submission either as part of the Pre-application Advice Service or a Scoping Opinion for EIA development

Policy References and Further Guidance

Local

[Cumbria Minerals and Waste Local Plan 2015-2030](#)

- Policy DC18 - Landscape and Visual Impact
- Policy DC22 - Restoration and Aftercare

National

[National Planning Policy Framework - Section 15. Conserving and enhancing the natural environment](#)

National Planning Practice Guidance (NPPG) – [Natural Environment](#) (Landscape) section.

Landscape Institute Guidelines on Landscape Visual Impact Assessment 3rd Edition (2013)

[Cumbria Landscape Character Guidance and Toolkit](#)

[Lake District National Park Landscape Character Assessment and Guidelines](#)

[The Solway Coast Area of Outstanding Natural Beauty \(AONB\) – Landscape and Seascape Character Assessment](#)

[North Pennines AONB Planning Guidelines](#)

N.B. AONBs have been renamed National Landscapes.

29. Landscaping Proposals

Reasons for requirement

To secure good design and on-site green infrastructure / biodiversity provision.

When is it required?

- Where landscaping is considered to be of material importance to the determination of the proposed development.
- Where landscape planting/screening is integral to the development proposals (for example, as identified within a LVIA report) then a detailed landscape strategy will also be required. In some cases this could be secured by planning condition but for more complex applications, full details may be required in order to assess suitability of the scheme prior to determination. Often a Landscape Strategy is included as part of the submitted LVIA.

What is required?

- Detailed plan of proposed landscape planting. This should clearly set-out details of existing landscape features to be retained, and proposed new planting/landscaping features, including size and type of species.
- A detailed landscape strategy should also include information on how the landscape planting will be protected and maintained once planted.

Policy References and Further Guidance

Local

[Cumbria Minerals and Waste Local Plan 2015-2030](#)

- Policy DC18 - Landscape and Visual Impact
- Policy - DC 22 (Restoration and Aftercare)

National

National Planning Policy Framework – [Section 12 – Achieving well-design places](#)

[Cumbria Landscape Character Guidance and Toolkit](#)

30. Lighting Assessment

Reasons for requirement

To safeguard amenity, ecology, landscapes and the dark skies from light pollution

When is it required?

- When proposals involve external lighting which has potential to impact on either neighbouring property, or habitats or upon visual amenity on the area (including on dark skies)
- Where significant new lighting is proposed, such as floodlighting, or lighting on car parks, open land or yards a Lighting Assessment prepared by a suitably qualified lighting engineer will be required
- Installation of external lighting on buildings may only require submission of details with the application for consideration
- Where lighting impacts on areas allocated as Dark Skies

What is required?

- Details on the type and location of external lighting proposed, including lux levels and hours of operation.
- An assessment of the light spill and its impact on both nearby properties (especially residential) and on the wider setting, giving particular consideration to lighting in the countryside and other dark sky areas
- The assessment should include consideration of less intrusive lighting schemes if appropriate, and details of any measures taken to reduce the potential for light pollution or disturbance.

N.B. Lighting Assessment may also form part of an Ecological Assessment where there is potential for adverse impact on Protected Species, in particular bats.

Policy References and Further Guidance

Local

[Cumbria Minerals and Waste Local Plan 2015-2030](#)

- Policy SP15 - Environmental Assets
- Policy DC2 - General Criteria
- Policy DC18 - Landscape and Visual Impact
- Policy DC20 - Water Environment

National

National Planning Policy Framework – Section [15 Conserving and enhancing the natural environment](#)

National Planning Practice Guidance (NPPG) – [Light Pollution Section](#)

[Institute of Lighting Engineers ‘Guidance Notes for the Reduction of Obtrusive Light.’ \(2021\)](#)

[Lighting in the Countryside: Towards Good Practice \(1997\)](#)

[Cumbria Good Lighting Technical Advice Note \(2023\)](#)

Dark Skies <https://www.cpre.org.uk/what-we-care-about/nature-and-landscapes/dark-skies>

31. Minerals Need Assessment

Reasons for requirement

To establish if there is a need for release of further aggregate reserves in light of current landbank levels and demand.

When is it required?

For all proposals for minerals extraction (i.e. lateral or vertical extensions of existing sites or new sites).

What is required?

Demonstration that there is a market need for their mineral product and how their proposal fits with the current aggregate land bank figures and market demand.

Whilst there is no maximum land bank level for aggregates, the council needs to manage a steady supply and ensure that reserves are not released too early should they be required to meet regional and national needs at a later stage.

Where a land bank is below the minimum level this indicates a more acute need for the mineral to be extracted.

To demonstrate the need for minerals extraction to be permitted in an area where an adequate land bank already exists, the following issues should be addressed in any statement:

- Are there significant future increases in demand that can be forecast with reasonable certainty?
- Is the location of the consented reserve inappropriately located relative to the main market area?
- Does the nature, type or quality of the aggregate make it particularly suitable for use within a particular district or to serve a separate market?
- Are there any known constraints on the availability of consented reserves that might limit output over the Plan period?
- Any other exceptional or site-specific circumstances which require the proposal to come forward

Policy References and Further Guidance

Local

[Cumbria Minerals and Waste Local Plan 2015-2030](#)

- Policy SP7 - Minerals Supply
- Policy DC12 - Criteria for Non-Energy Minerals

National

National Planning Policy Framework - [Section 17 - Facilitating the sustainable use of minerals](#)

The Council's Local Aggregates Assessment (LAA) – produced annually and published online at: Cumberland.gov.uk/planning-and-building-control/planning-policy/minerals-and-waste-local-plan

32. Minerals Safeguarding Areas

Reasons for requirement

Applications that are in accordance with the site allocations for development of an adopted or deposited Local Plan.

When is it required?

All planning applications which are identified within the site allocations. To protect valuable mineral resources from unnecessary sterilization by non-mineral development.

Please see part [Minerals Infrastructure Impact Assessment](#) and [Minerals Resource Assessment](#) in Part 2 – Local Requirements for further details.

33. Noise Assessment

Reasons for requirement

To determine whether a proposal will have a significant impact on existing noise levels or whether, when all appropriate forms of mitigation have been considered, the existing noise environment will adversely affect the proposed development.

When is it required?

For any development which is likely to generate significant noise above background levels or regular movements of larger vehicles. It would commonly be required with minerals applications due to the nature of that operation, but could equally apply to noise associated with construction of new buildings, or the introduction of a new/more intensive activity near to sensitive receptors.

What is required?

- establish baseline conditions of the existing noise climate around the site of the proposed operations at the times the site is proposed to operate – this should include existing background noise levels measured over a 24 hour period (including the cumulative noise levels of all existing units) to show representative background noise
- identification of site activities that could lead to unacceptable noise emission without mitigation
- establishment of proposed noise levels (including the cumulative noise levels of all proposed units) and calculations as to their level at the nearest sensitive receptors.
- details of the method used to compile the report and the calculations and assumptions made
- proposed mitigation measures
- proposals to monitor and report noise emissions to ensure compliance with the appropriate environmental standards and to enable an effective response to complaints.

Policy References and Further Guidance

Local

[Cumbria Minerals and Waste Local Plan 2015-2030](#)

- Policy DC2 - General Criteria

- Policy DC3 - Noise

National

- National Planning Policy Framework - [Section 17 - Facilitating the sustainable use of minerals](#)
- National Planning Practice Guidance (NPPG) – Sections on [Noise](#) and [Minerals](#).
- DEFRA [Guidance on Noise Management](#)
- [Sustainable Aggregates Research Report - Reducing the Environmental Effect of Aggregate Quarrying: Dust, Noise & Vibration \(2007\)](#)

34. Odour Assessment

Reasons for requirement

To establish the characteristics and likelihood/frequency of any potentially odorous emissions and whether they would have an unacceptable effect upon living conditions or local amenity.

When is it required?

For any development that involve processes that could generate odour emissions that may impact local amenity. This includes, but is not limited to, the temporary holding/storage of wastewater, wastewater treatment, open windrow composting, storage/processing/deposit of putrescible wastes where such proposals are in proximity to people.

What is required?

- Establish baseline conditions of the existing odour climate around the site.
- Identification of operations / sources of odour.
- Establish the characteristics of different odours.
- Consideration of odour pathways in light of prevailing wind directions.
- Identification of the receptors that could be affected.
- An assessment of the change in baseline conditions that may result from the proposed development at key receptor points.
- Recommended mitigation measures;
- Recommended proposal to monitor and report on odour and enable effective response to any complaints.
- standards and to enable an effective response to complaints.

Policy References and Further Guidance

Local

[Cumbria Minerals and Waste Local Plan 2015-2030](#)

- Policy DC2 - General Criteria
- Policy DC3 - Noise

National

- National Planning Policy Framework - [Section 17 - Facilitating the sustainable use of minerals](#)
- National Planning Practice Guidance (NPPG) – Sections on
- DEFRA guidance on [nuisance odours](#)
- Institute of Air Quality Management (IAQM) - [Guidance on the assessment of odour for planning](#)

35. Phasing and Working Programme

When is it required?

All mineral extraction proposals and proposals that involve waste management for the restoration of a mineral site.

What is required?

Information/plans relating to the phasing and working programme of the operations proposed including timescales, mineral volumes per each phase, volume of material involved for landfilling or recovery, methods of proposed operations throughout the life of the development; stockpile location and design (soil/ mineral/ waste materials/ restoration materials). Where waste is to be generated, having regard to the waste hierarchy details of how waste produced during all stages of development will be minimised and managed in a sustainable manner, including what type of waste would be generated, how the waste would be managed; and which contractors will be used to ensure the waste is managed sustainably.

Statement on the proposed void space, volume of fill material involved, rates of fill, type and source of material, expected levels of settlement including justification thereof, and proposed methods of compaction (pre and post settlement levels) as part of the phasing programme and for the proposal overall.

The development involves the minimum quantity of waste necessary.

Landfill and Landraising Statement

When is it required?

Any proposal involving landfilling or landraising including reworking or reclamation of former mineral sites and agricultural sites.

involving Policy and Guidance:

- Landfill (England and Wales) Regulations 2002
- National Planning Policy for Waste
- Cumbria Minerals and Waste Local Plan 2015-2030 (Adopted September 2017)
- National Planning Policy Guidance: Waste

What is required?

Statement on the proposed void space, volume of fill material involved, rates of fill, type and source of material, expected levels of settlement including justification thereof, timescales for completion of works and proposed methods of compaction (pre and post settlement levels).

Demonstration that the amount of fill proposed is the minimum requisite required.

Policy References and Further Guidance

National

- Landfill (England and Wales) Regulations 2002
- National Planning Policy for Waste
- Cumbria Minerals and Waste Local Plan 2015-2030 (adopted September 2017)
- National Planning Policy Guidance: Waste What you must provide:

36. Planning Obligations – Draft Heads of Terms of Section 106 Legal Agreement

Reasons for requirement

To secure essential infrastructure provision/enhancement to mitigate or compensate for the impact of a development.

What is it?

- Section 106 agreements or planning obligations are private agreements negotiated between the Council, and persons with an interest in the property or piece of land.
- Proposed obligations must be reasonable, necessary and directly related to the development.
- They are often required where interventions are required to be secured outside of the red line boundary or land under the control of the applicant.

When is it required?

Where development proposals would otherwise be unacceptable but are capable of being made so. Planning obligations should only be used where it is not possible to address impacts or make the development acceptable through imposition of a planning condition(s).

They can be required in relation to a wide range of matters such as the following (please note this list is not exhaustive):

- to secure long term management and/or extended aftercare of environmental assets (e.g. woodland and/or ecological management plans)
- to secure the delivery of compensatory habitats and Biodiversity Net Gain.

- to provide necessary infrastructure to mitigate the impact of development and make it acceptable, such as highway and transport improvements; flood and surface water management schemes and provision of green infrastructure.
- in certain circumstances where a particularly high volume of laden HGV traffic is anticipated to be generated that could result in extraordinary levels of damage/wear and tear to the highway fabric, verges, footway and highway structures then commuted maintenance sums may be sought. The determining factor in calculating the appropriate sum will be the cost of maintaining the infrastructure, which is over and above the average figure that would have been incurred by the Highway Authority.
- in exceptional circumstances (as set out in CMWLP Policy SP17) financial guarantees may be entered into with regard to quarry restoration schemes.

What is required?

- A short statement providing details of the proposed Heads of Terms or matters to be controlled/included in the legal agreement.
- It must include the following details:
 - details of the proposal
 - details of what the Agreement is for
 - title deeds and Land Registry information
 - names and addresses of the interested parties
 - name and address and contact details of the instructed solicitor(s).

Policy References and Further Guidance

Local

[Cumbria Minerals and Waste Local Plan 2015-2030](#)

- Policy SP17 - Section 106 Obligations
- Policy DC8 - Renewable energy use and carbon reduction on existing mineral and waste sites
- Policy DC13 - Criteria for energy minerals
- Policy DC22 - Restoration and Aftercare

National

- National Planning Policy Framework – [Section 4 - Decision making](#) and [Section 17 - Facilitating the sustainable use of minerals](#)
- National Planning Practice Guidance (NPPG) – [Planning Obligations section](#)
- [Cumbria Planning Obligations Policy](#)

37. Planning Performance Agreement / Pre Application Advice

Reasons for requirement

The purposes of the Planning Performance Agreement is intended to support all participants and local communities to work together to deliver a programme of socio-economic investment with will achieve long term benefits on major developments.

What is it?

A planning performance agreement (PPA) is an optional project management tool that local planning authorities and applicants can use to agree the process for handling a planning application (for example, agreeing timescales, actions, and resources).

PPAs provide a flexible framework that can be particularly useful for determining an efficient, transparent, and collaborative process for large and/or complex proposals.

A PPA is agreed voluntarily between the planning authority and the applicant prior to the application being submitted, and should cover pre-application and application stages but can also be extended to cover post-application stage.

Note, pre-application planning advice and PPAs are offered as optional services within the Council. This service is there to support applicants as they go through the planning process but it is not a mandatory requirement.

Pre Application Advice

If you want to check if you are likely to get Planning Permission before you formally submit your planning application, you can apply for pre-application advice.

Pre-application advice can help speed up the planning process as any potential problems can be highlighted before you submit an application.

Advice will be given by a Planning Officer. Pre-Planning advice cannot guarantee that a Planning Application will be approved. This is because the Planning Office may not be aware of all issues at this stage, and won't be able to consider any comments or responses that are made once an application has taken place.

Please see [Pre-application advice | Cumberland Council](#) for further information.

38. Planning Statement

Reasons for requirement

To demonstrate a proposals compliance with Local Planning Policies and other relevant material planning considerations (such as the National Planning Policy Framework and Planning Practice Guidance).

Essentially the purpose of the Planning Statement is to identify national and local planning policy relevant to the development proposals and demonstrate how the policies are being complied with, or whether there are circumstances to justify approval of the application contrary to adopted policy.

When is it required?

For all minerals and waste applications including Section 73 applications to vary and amend conditions

What is required?

- a detailed description of the proposed development and an assessment of how the scheme fits with relevant local planning policy (including supplementary planning documents) and national policy and guidance will be required.
- for largescale and complex proposals a more detailed Planning Statement would be expected, summarising and cross-referencing other supporting documentation submitted with the application to demonstrate compliance with policy. This should summarise the benefits and impacts of the proposal and the key mitigations proposed.
- For waste related development that involves the disposal/deposit of waste materials on land (i.e. landfill or landraise) then a proposal must provide justification as to why the proposal is required and thoroughly address Minerals and Waste Local Plan policies DC10 and/or DC11. It must clearly establish the anticipated source(s) of material and timescales for operations.

It is recognised that the scale and level of detail provided within the Planning Statement would be proportionate to the nature of the development proposals and that some planning policy assessment will also be provided within other supporting documents required.

Policy References and Further Guidance

National

National Planning Policy Framework – [Section 1 - Introduction](#)

39. Plans and Drawings

Reasons for requirement

To clearly show and specify key aspects of the development proposal.

When are they required?

For all proposals for minerals or waste development that involve new or amended physical interventions.

What is required?

Site Layout Plans - Existing and Proposed. These must:

- Be drawn to a metric scale – normally 1:500 or 1:200 for structures but can be a greater scale for mineral extraction or waste deposit proposals.
- Indicate the direction of North.
- Show all buildings, roads, parking and footpaths on the site and on land adjoining the site, including access arrangements including visibility splays.
- Show existing watercourses or drainage ditches.
- Demarcate the species, position, crown spread and root protection area of all trees within the application site.

In addition to the above, site plans for minerals and waste proposals would be expected to include the following as appropriate:

- Any land within or adjacent the site which has previously been used for deposit of waste or subject to mineral working or associated development, including the position of working/tipping faces, areas restored and any planning permission references where known;
- Location and size of plant, machinery or other ancillary infrastructure (e.g. weighbridges, etc.).
- Location and height of any outside storage bays;
- Location and height of any stockpiles, soil storage mounds and screening bunds;
- Maximum extent of any soil stripping and storage or other changes to ground level.

Where any changes to existing (or previously approved) land levels are proposed:

- A **Topographical Survey** showing existing pre-development site levels (or existing approved levels). This should include contours at appropriate levels/intervals. The survey should extend beyond the boundaries of the application site in all cases. In the case of non-energy minerals extraction and waste deposit proposals it should extend off-site by at least 250m. For energy mineral extraction it should extend for a greater distance of at least 500m outside the site. Spot levels should be provided at and around buildings.
- **Proposed Site Level Plans** (for areas not subject to quarrying or landfilling), showing spot levels around structures and contours over wider areas.
- **Cross Sections** showing existing and proposed levels.

All levels should be related to a fixed datum point offsite and both plans must be to a recognised scale, include the direction of north and have a clear key for all elements shown.

Where mineral extraction or disposal of waste on land is proposed (or alterations to previously agreed schemes) then the following are required.

- **Phasing/Working Plans** - these should include phasing of the mineral extraction or waste cell development. This should be to an appropriate timescale (1 or 5 years) relative to the overall timescale for the application and should cover phasing of extraction, restoration and landscape management. Where phasing is reliant on imported materials the application should include sufficient detail to demonstrate that the phasing timescale and restoration can be achieved with the potential availability of suitable material. Proposals for mineral extraction should have a quarry development plan with the location of benches with heights shown in measurements Above Ordnance Datum (AOD). Quarrying proposals should indicate the direction of working and of backfilling. For each working phase of a scheme, plans should show the location of enabling infrastructure (site access, offices, welfare facilities, car parking, haul

roads and plant etc.), temporary and permanent mitigation measures (advanced planting, retained planting, protection measures, bunds and boundary treatments etc.) and the location of voids, stockpiles and waste materials.

- **Restoration, Aftercare and Afteruse Plans** - Restoration Plans showing proposed final landform contours at appropriate intervals and their relationship to surrounding land contours. Where high settlement rates are expected, pre and post settlement contours may be required.
- **Sections and Profiles** – Sections should show existing site levels and gradients, proposed restoration levels and gradients and the outline of the maximum extent/depth of extraction. They should include the relative maximum height of operational bunds, structures and stockpile areas within the wider site context.

Where any buildings, plant or machinery (or modification or extension to them) are proposed:

- **Floor Plan(s)** - Proposed (and existing if it relates to an extension)
- **Elevations** - Proposed (and existing if it relates to an extension or if structures are present in its vicinity)
- **Roof Plan(s)** - Proposed (and existing if it relates to an extension)

Elevation drawings should show what a building or piece of plant or machinery will look like from the outside. Most applications will need both existing and proposed elevations, be at a metric scale of 1:100 or 1:50 and shall

- Be clearly labelled - *e.g. north, west etc. or north point indicated. We will not accept front, back, side etc.*
- Show all elevations of the structure to be erected, altered or extended including any blank elevations (unless completely obscured by being attached to another building).
- Show clear detail of all external sides of the development - this should indicate all materials employed (including their colour and finish).
- Show the relationship of the proposal to any adjoining or nearby structures (including any windows or doors in those structures).

Where a proposal is situated within the context of a street scene (such as wastewater transmission infrastructure or some waste management sites) then **Street scene or Contextual drawings** will be required. This drawings should show elevations in the context of the street scene / locale in order to illustrate the degree of integration of the proposed design into the existing neighbourhood/area. These should be drawn to a scale of 1:100 or 1:200 and show:

- Show the height and outline of neighbouring buildings and position and size of windows and doors
- Show any difference in finished floor levels
- Annotated to show the direction the street scene faces

All plans must meet the following requirements:

- Be drawn to a recognised metric scale.

- Have a scale bar so that the scale can be checked for accuracy.
- Submitted in an identified A2, A3 or A4 size format; preferably a maximum of A3 to assist when viewing online.
- Be of a quality and resolution that is clear and legible when viewed online.
- Be submitted as a PDF, correctly orientated for on-screen display.
- Numbered individually, named and titled in a logical manner, reflecting their content.

Policy References and Further Guidance

National

- National Planning Policy Framework - [Section 17 - Facilitating the sustainable use of minerals](#)
- National Planning Practice Guidance (NPPG) – [Minerals](#) section.

40. Public Rights of Way Statement

Reasons for requirement

To ensure the actual/potential impact upon public rights of way is flagged and addressed.

When is it required?

When a development proposal may affect a public right of way either by obstructing it or potentially causing inconvenience or other risk to its users.

What is required?

- Detail of how the development or proposal affects the public right of way and how the scheme will incorporate the right of way, any requirements for a diversion to its route, whether any improvements can be made to the right of way.
- If closure of the right of way would be needed, details of the timescales and period of closure would be useful.

Policy References and Further Guidance

Local

[Cumbria Minerals and Waste Local Plan 2015-2030](#)

- Policy SP17 - Section 106 Obligations
- Policy DC2 - General Criteria

National

- National Planning Policy Framework – [section 8 - Promoting healthy and safe communities](#)
- National Planning Practice Guidance (NPPG) – [Open space, sports and recreation facilities, public rights of way and local green space](#)

- [Definitive Map of Public Rights of Way in Cumbria](#)
- [Cumbria development design guide](#) – Appendix 9.

41. Restoration and Aftercare Strategy

Reasons for requirement

- Mineral extraction and landfilling/land raising are temporary uses of the land.
- To ensure appropriate restoration proposals are agreed from the outset.

When is it required?

- For all proposals for new or additional mineral extraction and landfilling/land raising.
- For section 73 applications to vary or remove conditions that affect an existing approved restoration scheme.
- For any proposals that may affect an agreed restoration scheme or timescale.

What is required?

- An overall restoration strategy, identifying the proposed after-use(s) of the site.
- Details regarding the phasing and direction of working and progressive restoration (see also Plans & Drawings section).
- Information on void space and total volume and type of fill material (if required) to restore the application site alongside filling rates.
- Details of how restoration will be financially secured.
- Information on soil resources, including whether the importation of additional soils is required and how topsoil, subsoil, overburden and soil making materials are to be handled and their proposed depths.
- Detail of drainage of the restored area to include grading to promote natural drainage, surface water catchment, proposed field drains, ditches, culverts, sumps and watercourses, directions of flow, site drainage plan and erosion control measures.
- Proposals for the removal of buildings, plant, equipment, roads & areas of hardstanding.
- Proposed cultivation techniques, cropping and grazing including target condition objectives.
- Landscape strategy and planting details.
- Outline details of aftercare measures for any areas proposed to be progressively restored within the next five years.
- Details of an Outline Management Plan if an aftercare period of more than the standard five years from the final cessation of operations is necessary in light of the habitat type being restored to.

Policy References and Further Guidance

Local

Cumbria Minerals and Waste Local Plan 2015-2030

- Policy SP3 - Waste Capacity
- Policy SP6 - Higher activity radioactive wastes treatment, management & storage.
- Policy SP12 - Peat
- Policy SP13 - Climate Change Mitigation and adaptation
- Policy SP15 - Environmental Assets
- Policy SP16 - Restoration and aftercare
- Policy SP17 - Section 106 Planning Obligations
- Policy DC2 - General Criteria
- Policy DC8 - Renewable energy use and carbon reduction on existing minerals and waste sites
- Policy DC9 - Criteria for waste management facilities
- Policy DC10 - Criteria for landfill and landraise
- Policy DC11 - Inert waste for agricultural improvement
- Policy DC12 - Criteria for non-energy minerals development
- Policy DC13 - Criteria for energy minerals
- Policy DC14 - Review of Minerals Permissions
- Policy DC17 - Historic Environment
- Policy DC18 - Landscape and visual impact
- Policy DC21 - Protection of soil resources
- Policy DC22 - Restoration and Aftercare

National

- National Planning Policy Framework - [Section 17 - Facilitating the sustainable use of minerals](#)
- National Planning Practice Guidance (NPPG) – Section on [Minerals](#).
- DEFRA and Natural England [guidance on the reclamation of minerals extraction and landfill sites to agriculture](#).

42. Shadow Flicker Assessment

Reasons for requirement

To protect the amenity and living conditions of occupants of buildings.

Under certain conditions, moving shadows cast by wind turbine blades can pass over windows in buildings. Those shadows can appear to flick on and off; this effect is known as 'shadow flicker.' The moving shadows can also be seen passing across the ground, which can be considered as 'shadow throw.'

When is it required?

For proposals for the erection of a wind turbine (or turbines) on minerals or waste sites where properties are within 130 degrees either side of north, relative to the turbines.

What is required?

- An assessment including modelling that considers the path of the Sun at the turbine location, the receptor locations and the terrain data for the area in order to determine where, when and for how long effects will take place.
- Proposed Mitigation Measures
- The assessments must be carried out by a suitable qualified and experienced person.

Policy References and Further Guidance

Local

[Cumbria Minerals and Waste Local Plan 2015-2030](#)

- Policy DC2 - General Criteria
- Policy DC6 - Cumulative environmental impacts

National

- National Planning Practice Guidance (NPPG) – [Renewable and low carbon energy section](#)
- Department of Energy and Climate Change - [Update of UK Shadow Flicker Evidence Base](#) (2011)

43. **Site Waste Management Plan**

Reasons for requirement

To ensure there is a clear plan in place to manage wastes sustainably.

A site waste management plan is a document that describes, in detail, the amount and type of waste from construction projects and how it will be reused, recycled or disposed of.

When is it required?

It will be required for proposals involving site excavation or demolition of buildings and structures.

What is required?

- Details should be provided of any waste arising from the proposals, including estimated quantity, proportion to be retained on site, and method of disposal for waste not retained on site.

- Opportunities for re-use and/or recovery of materials should be identified and developers should demonstrate that measures have been taken to minimise off-site disposal of waste materials.
- Reference should be made to the Waste Hierarchy set out in the Waste Management Plan for England (2013) on which current national and local waste planning policies are based.

The scale and level of detail provided will be proportionate to the nature of the development.

Policy References and Further Guidance

Local

[Cumbria Minerals and Waste Local Plan 2015-2030](#)

- Policy SP2 - Provision for Waste
- Policy SP3 - Waste Capacity
- Policy DC2 - General Criteria

44. Statement of Community Involvement

Reasons for requirement

- To ensure an applicant has engaged with the local community in a meaningful way in designing their proposal and preparing the planning application.
- As it offers significant potential to improve both the efficiency and effectiveness of the planning application system and improve the quality of planning applications and their likelihood of success.

When is it required?

- For all large-scale or complex minerals and waste proposals (including Energy from Waste proposals)
- For all minerals and waste proposals accompanied by Environmental Statements

What is required?

- It is expected that the developer will have carried out some consultation and engagement with the local community. The scale and extent of consultation carried out will depend on the nature of the proposal.
- For more complex or contentious proposals, a greater level of engagement is required which could include public exhibitions, provision of full submission details on a dedicated website and follow-up meetings with feedback.
- For smaller or less contentious schemes, a mail-drop providing details of the scheme and inviting comments before submission may be sufficient.

The scale and level of detail in the Statement of Community Involvement will be proportionate to the nature of the proposal and extent of consultation carried out.

Policy References and Further Guidance

Local

[Cumberland Council's Adopted Statement of Community Involvement \(2025\)](#)

Pre-application advice from the Council: [Cumberland.gov.uk/planning-and-building-control/planning-advice/pre-application-advice](https://cumberland.gov.uk/planning-and-building-control/planning-advice/pre-application-advice)

National

National Planning Policy Framework – [Section 4 - Decision making](#)

National Planning Practice Guidance (NPPG) – [Before submitting an application section](#) - Sets out process and expectations on pre-application discussions.

45. Surface Water Drainage Assessment with Sustainable Drainage Plan and Strategy

Reasons for requirement

To ensure a satisfactory standard of surface water drainage for the development in compliance with the surface water drainage hierarchy and to minimise the risk of flooding.

When is it required?

- For all proposals for new or extended minerals or waste development.
- It is not required for a change-of-use applications.

What is required?

- Details of existing drainage arrangements (including the system capacity and discharge rate) and surface water flow paths.
- Details of existing ground levels and conditions:- including a metric scaled topographical level survey of the area to metres above ordnance datum; geological information including borehole logs, depth to water table and data on adsorption and permeability of site soils.
- A description of the type, quantities and means of storage/disposal of any surface water run-off.
- Proposed drainage plans (identifying outfalls) with a reasoned strategy to demonstrate that the development will have betterment compared with the existing site in terms of surface water drainage and accord with the hierarchy for surface water drainage in the National Planning Practice Guidance (NPPG) (i.e. infiltration or water reuse; drainage to a watercourse and then drainage to a sewer as a last resort) and take into account 1 in 100-year rainfall events and climate change. The proposed drainage plan should include proposed site levels preferably as contours.
- A statement of evidence that infiltration or water reuse is not practicably appropriate, and that the drainage proposed accords with the hierarchy of drainage as detailed in the NPPG. This should include evidence that local

ground conditions render soakaways impractical (evidence normally being a test in accordance with BRE 365).

- Hydraulic calculations for the proposed drainage design.
- Demonstration of compliance with the requirements of any applicable SuDS (Sustainable urban Drainage System) guidance.
- Evidence of third party agreement for water discharge to their system (in principle/consent to discharge)
- Details of post development overland flow routes and drainage system exceedance routes
- Details of adoption or maintenance and management information for un-adopted sections;
- If the proposal is part of a number of phases, the strategy should demonstrate access to/from interconnecting phases.
- Broad outline details of flow routes and drainage measures should be set-out for restoration schemes for minerals and landfill sites.

It should ultimately confirm that the proposed drainage scheme has sufficient capacity to cope with the demands of the new development and takes into account forecasted increased flows due to climate change.

Policy References and Further Guidance

Local

[Cumbria Minerals & Waste Local Plan – Strategic Flood Risk Assessment \(June 2018\)](#)

[Cumbria development design guide](#) – in particular appendices 5, 6 & 7.

Cumbria Minerals and Waste Local Plan 2015-2030

- Policy SP13 - Climate Change Mitigation and adaptation
- Policy SP16 - Restoration and aftercare
- Policy SP17 - Section 106 Planning Obligations
- Policy DC6 - Cumulative environmental impacts
- Policy DC10 - Criteria for landfill and landraise
- Policy DC11 - Inert waste for agricultural improvement
- Policy DC19 - Flood Risk
- Policy DC20 - The Water Environment

National

National Planning Policy Framework – [Section 14 \(Meeting the challenge of climate change, flooding and coastal change\)](#)

National Planning Practice Guidance (NPPG) – [Flood risk and coastal change section](#)

Environment Agency [Flood Risk Map for Planning](#)

Environment Agency [Flood Risk maps for surface water](#)

Environment Agency's ['Check the long term flood risk for an area in England'](#) map

46. Transport Assessments/Statement and Travel Plans

Reasons for requirement

To assess and mitigate any negative transport impacts of a development in order to promote sustainable development

When is it required?

Transport information is required for all applications for planning permission.

The need for either a Transport Statement (TS) or Transport Assessment (TA) would be considered on each individual case, taking into account any policies within the development plan relating to transport statement or assessments; existing intensity of transport use and availability of public transport; proximity to sensitive areas and the cumulative impacts of multiple developments.

- For small scale minerals or waste developments (such as small building stone quarries, scrap metal yards or wastewater transmission infrastructure), a Transport Statement outlining the aspects of the scheme which may impact upon transport infrastructure will generally be acceptable. Existing and proposed levels/patterns of vehicle movements should be set-out.
- A Transport Assessment will be required where the proposed scheme will result in significant implications for the highway network and significant additional numbers of vehicle movements.

What is required?

- A Transport Statement (TS) should include details analysis of the impacts of the proposal, including trip generation resulting from the development (including data on modal split of journeys to and from the site), improvements to site accessibility (including measures to be used to improve access to the site by public transport together with walking and cycling); car parking provision and internal vehicular circulation, traffic impacts of servicing requirements and the net level of change over any current development within the site.
- A Transport Assessment (TA) should quantify and assess the impact of the proposals on traffic movement and highway safety, quantify and assess how the development could be accessed by alternative transport modes and how such alternative modes would be promoted. Details should be included of any proposals for access or transport improvements. Please be aware that TAs need to be accompanied by a Travel Plan.

In both cases the TA or TS should be proportional to the scale of the development proposed.

It is important that the scope of information to be included in TSs and TAs are agreed with the council at an early stage in the planning application process.

Policy References and Further Guidance

Local

[Cumbria development design guide](#) for highways – including appendices.

Pre-application advice from the Council: Cumberland.gov.uk/planning-and-building-control/planning-advice/pre-application-advice

Cumbria Minerals and Waste Local Plan 2015-2030

- Policy SP17 - Section 106 Planning Obligations
- Policy DC1 - Traffic and Transport
- Policy DC2 - General Criteria
- Policy DC5 - Dust
- Policy DC6 - Cumulative environmental impacts

National

National Planning Policy Framework – [Section 9 - Promoting sustainable transport](#)

National Planning Practice Guidance (NPPG) – [Sections on Transport evidence bases in plan making and decision taking](#) and [Travel Plans, Transport Assessments and Statements](#)

47. Tree and Hedgerow Survey

Reasons for requirement

- To assess the merits of existing trees as part of any development scheme which may include tree canopies of adjacent sites which overhang the site boundary.
- To assess the importance of any hedgerow over 20m to be removed as part of the development.

When is it required?

- A tree survey will be required for any development proposal which is likely to affect trees within and adjacent to the development site, either directly by loss or damage, or indirectly by developing in close proximity to trees and therefore potentially reducing their lifespan. This includes trees on adjacent land or highways which are within 15m of the boundary of the site. The reason for this is that The British Standard 5837, the Root Protection Area (RPA) is calculated by multiplying the diameter of the tree at breast height in metres by 12, but is capped as an area with a radius of 15 metres. Development that is within 15 metres of a tree has the potential to damage its roots.
- A hedgerow assessment is required where hedgerow/s may be removed or felled by the development.
- A hedgerow assessment is also required on all applications if 20 meters or more of hedgerow is proposed to be removed as part of the development.

What is required?

Trees

- Information will be required on which trees are to be removed and retained and the means of protecting those to be retained during construction works. This information should be prepared by a qualified arboriculturist in accordance with British Standard 5837: 2012 Trees in relation to design, demolition and construction recommendations (or any subsequent updates).
- Justifications for any trees to be felled and include accurate constraints plans with the extent and crown spreads of all trees accurately plotted.

Tree Survey

- A topographical survey plan showing the exact locations of the tree(s)
- Arboricultural Impact Assessment
- Tree Protection Plan
- A Schedule to the survey including the following:
 - A reference number for each tree or group to be recorded on the survey plan
 - Species listed by common name (and scientific where possible)
 - The approximate height
 - The stem diameter measured in accordance with Annex C of the BS5837:2012 (or any subsequent updates)
 - Root protection Areas
 - Existing height above ground level of the first significant branch and canopy
 - Age Class (e.g. young, semi-mature, mature, over-mature etc)
 - Assessment of the condition including trunk, crown and roots, particularly of structural and/or physiological condition
 - the removal/retention category U or A to C grading (see 4.5 and table 1 and 2 of BS 5837:2012, or any subsequent updates)
 - Life expectancy (e.g. less than 10, 10 or more, 20 or more, 40 or more)
 - the preliminary management recommendations
- The tree survey should also demonstrate and account for existing buildings, hard surfaces, watercourses, ground levels throughout the site, wildlife features and hedgerows.
- The tree survey must consider whether tree(s) are ancient or veteran.

In some cases, a full tree survey may not be necessary. It may be sufficient to submit a Tree Constraints Plan.

Tree Constraints Plan

- The Tree Constraints Plan should be a combination of the information gathered during a topographical survey (location of all trees, shrubs and hedges and other relevant features such as streams, buildings and spot level heights) and an accurate tree survey.

- It is important to remember that the parts of a tree that lie below the soil surface, its roots, are just as important as those above ground (trunk, branches, leaves). Every effort should be made to ensure that the roots of retained trees are not damaged during the construction process. Root problems can lead to a decline in a tree's health resulting in the need for a tree to be removed or even structural collapse. Tree roots can be easily damaged by:
 - Abrasion
 - crushing by vehicles/plant equipment and/or storage of building materials or soil
 - compaction of the surrounding soil leading to root death by asphyxiation (lack of oxygen) or drought (inability to obtain water)
 - severing and removal of roots by excavation • poisoning from, for example, spillage or storage of fuel, oil or chemicals
 - changes in soil levels around trees resulting in root death as a result of exposure or asphyxiation
 - installation of impermeable surfaces leading to a decline in tree health due to lack of water
- It is vital therefore that the Tree Constraints Plan should also clearly show the Root Protection Area of each tree. The Root Protection Area can be equated to a circle, using the tree as the centre point, with a radius that is 12 x the tree's diameter at breast height for a single stemmed tree, or alternatively 10 x its basal diameter measured above the root flare for a multi-stemmed tree.

Tree/Root Protection Plan

- Trees are particularly vulnerable on development sites and may be affected either immediately if removal or pruning is necessary to accommodate a development, or in the longer term.
- This may be as a result of disturbance during the development process or following pressure to remove or prune trees from the occupants of new buildings.
- The design layout should take these issues into account.
- Once it has been decided which trees, hedges or shrubbery are to be incorporated into a design layout it is important to ensure that they will survive the development process. A Tree Protection Plan is an essential aspect of tree protection with regard to development. The Tree Protection Plan is a scale plan showing:
 - any proposed or existing buildings or structures
 - all retained trees both on and neighbouring the site and their corresponding Root Protection Areas and crown spreads (North, East, South and West)
 - the location of protective fences or barriers (details of how these are to be constructed must also be supplied)
 - proposed location of all plant and materials storage
 - drainage runs, roads and driveways

- existing and new accesses
- any other surface or underground features that may affect the trees on or neighbouring the site

Hedgerow Assessment

The hedgerows should be assessed against the criteria contained within the Hedgerow Regulations 1997 to determine whether any of them can be classified as “important” for any of the criteria detailed within paragraphs 1, 4, 5, 7 and 8 of Schedule 1 of the Regulations.

Policy References and Further Guidance

Local

[Cumbria Minerals and Waste Local Plan 2015-2030](#)

- Policy SP15 - Environmental Assets
- Policy DC16 - Biodiversity & Geodiversity
- Policy DC18 - Landscape and Visual Impact
- Policy DC22 - Restoration and Aftercare

National

[The Town and Country Planning \(Tree Preservation\)\(England\) Regulations 2012](#)

National Planning Policy Framework – Sections [12 - Achieving well-designed places](#) and [15 - Conserving and enhancing the natural environment](#)

National Planning Practice Guidance (NPPG) – [Natural Environment](#) (Green Infrastructure subsection) and [Tree Preservation Orders and trees in conservation areas](#) sections.

Forestry Commission Guidance on [Planning applications affecting trees and woodland](#)

Natural England and Forestry Commission Guidance on [Ancient woodland, ancient trees and veteran trees: advice for making planning decisions](#)

Natural England and DEFRA guidance on [Countryside hedgerow protection: removing hedgerows](#)

48. Utilities Assessment

Reasons for requirement

To ensure that existing underground, overground/overhead utilities are taken into account.

When is it required?

For all new minerals and waste development except for the deepening of existing operational quarry or landfill sites or raising of existing operational landraise/landfill areas.

What is required?

- A statement and plan should be provided confirming the presence and availability of utility services and their capacity to serve the needs of the proposed development.
- It should be demonstrated that, following consultation with the service provider, the availability of utility services has been examined and that the proposals would not result in undue stress on the delivery of those services to the wider community. That proposals incorporate any utility company requirements for substations, telecommunications equipment or similar structures. That service routes have been planned to avoid as far as possible the potential for damage to trees and archaeological remains.
- Where the development impinges on existing infrastructure the provisions for relocating or protecting that infrastructure have been agreed with the service provider.

Policy References and Further Guidance

Contact Utilities companies for details of existing infrastructure and apparatus

49. Ventilation, Exhaust and Extraction details

Reasons for requirement

To ensure no nuisance, disturbance or loss of amenity is caused by odour, fumes, food droplets or noise to nearby properties.

When is it required?

For proposals including ventilation and extraction equipment. Including any buildings with air-conditioning units.

What is required?

- for minor proposals, show the position of equipment on submitted plans and providing some further detail on the nature and specification of the equipment proposed may be sufficient for validation purposes
- where more significant apparatus is proposed further details will be required – for instance in connection with proposals that involve Mine Ventilation Fans, Waste Transfer and Processing stations, Recycling facilities and Energy from Waste technologies. In such instances applicants should include details of the position and design of any equipment, including odour abatement techniques and acoustic noise characteristics where substantial equipment is proposed to be installed.
- In both cases an assessment of the effect of the equipment in managing noise and odour disturbance, together with any potential disturbance the equipment itself may cause should be provided. Consideration of any measures to reduce impact should also be included.

Policy References and Further Guidance

Local

The council's Environmental Health department can provide further guidance on how to manage noise and odour disturbance in development proposals.

[Cumbria Minerals and Waste Local Plan 2015-2030](#)

- Policy DC2 - General Criteria
- Policy DC3 - Noise
- Policy DC5 - Dust
- Policy DC6 - Cumulative environmental impacts

50. Waste Importation Assessment

Reasons for requirement

To ensure there is a clear plan in place to manage imported wastes sustainably.

A site waste importation assessment is a document that describes, in detail, the amount and type of waste from construction projects and how it will be reused, recycled or route to be disposed of.

When is it required?

It will be required for proposals involving site excavation or demolition of buildings and structures.

What is required?

- Details should be provided of any waste arising from the proposals, including estimated quantity, proportion to be retained on site, and method of disposal for waste not retained on site.
- Opportunities for re-use and/or recovery of materials should be identified and developers should demonstrate that measures have been taken to minimise off-site disposal of waste materials.
- Reference should be made to the Waste Hierarchy set out in the Waste Management Plan for England (2013) on which current national and local waste planning policies are based.

The scale and level of detail provided will be proportionate to the nature of the development.

Policy References and Further Guidance

Local

[Cumbria Minerals and Waste Local Plan 2015-2030](#)

- Policy SP2 - Provision for Waste
- Policy SP3 - Waste Capacity
- Policy DC2 - General Criteria

51. Wind Turbine and Solar Panel Assessment

Reasons for requirement

To ensure that any mineral or waste site which require to install wind turbines or solar panels can be adequately assessed and the development is proportionate to the scale of the site.

The assessment should include a sustainability appraisal outlining the elements of the proposal that address sustainable development issues including adaptation to, and mitigation of the impacts of climate change. This could include the choice of design and facilities aimed at reducing energy needs, use of renewable or low carbon energy generation and supply systems, water consumption and the overall carbon footprint.

When is it required?

It will be required for proposals involving the introduction of wind turbines, solar panels or other forms of renewable energy to minerals and waste sites.

What is required?

Assessments should demonstrate how sustainable design and construction have been addressed:

- including reducing energy consumption and greenhouse gas emissions through the use of sustainable technologies,
- use of renewable or low carbon energy generation and supply systems,
- climate change adaptation and mitigation measures (during both the operational and restoration phases of developments),
- carbon offsetting or other appropriate mechanisms.
- Minimising waste and increasing recycling, conserving water resources, incorporating green and blue infrastructure and sustainable drainage (SuDS), minimising pollution, maximising the use of sustainable materials and sustainable forms of transport.

Policy References and Further Guidance

Local

[Cumbria Minerals and Waste Local Plan 2015-2030](#)

- Policy DC2 - General Criteria
- Policy DC8 – Renewable energy use and carbon reduction on existing minerals and waste sites

National

- Planning Practice Guidance: Renewable and low carbon energy
- National Planning Policy Framework: 14 Meeting the challenge of climate change, flooding and coastal change