

Appendix 1 – Summary of responses to consultation

Consultee	Summary of comments and section of document to which it relates	Council's response and proposed action/amendment to Validation Guidance (as highlighted)
Highways Development Control -NCC	<p>Part One: Location Plan</p> <p>Suggest that the 'Location Plan' section could be expanded slightly. Planning Practice Guidance: Making a Planning Application paragraph 24 suggests:</p> <p><i>The application site should be edged clearly with a red line on the location plan. It should include all land necessary to carry out the proposed development (eg land required for access to the site from a public highway, visibility splays, landscaping, car parking and open areas around buildings).</i></p> <p>Suggest therefore if the validation note could include: <i>'It should include all land necessary to carry out the proposed development – for example, land required for access to the site <u>from a public highway</u> etc'.</i></p> <p>It is important from a Highways Development Control prospective to be able to determine how a site would be accessed from a road and that the applicant has a right of access to it.</p>	<p>Agree with suggested additional wording and the Validation Guidance -Location Plan requirements have been amended to reflect this.</p>
Environment Agency	<p>Part Two: Groundwater and surface water protection</p> <p>Amendment suggested which is remove the specificity to groundwater as surface water abstraction could also be impacted. Please see below.</p> <p><i>Due to pressure from over-abstraction (the Sherwood Sandstone aquifer is presently closed to further consumptive abstraction), development proposals requiring abstraction, including dewatering activities, should take account of the sustainability status of local groundwater and surface water, having regard to the Environment Agency's Abstraction Licensing Strategy for the area. Early consultation with the Environment Agency is recommended as the water resources status could have significant implications for details to be submitted under a planning application, or even the principle of the proposal itself. Details of how the design of a proposal takes account of such constraints should usually be set out within a hydrogeological and or hydrological assessment. In certain situations, it might be advisable to 'twin-track'</i></p>	<p>The Environment Agency was involved in the initial drafting of the wording of the new Groundwater Protection section (9) and this response reflects an additional comment to the proposed text.</p> <p>Agree with suggested additional wording and Section 9 has been amended accordingly.</p>

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	<i>planning and permitting/licensing applications together.</i>	
Development Management Team	<p>Part Two: Supporting Planning Statement</p> <p>The Development Management Team identified an issue relating to waste disposal/landscaping schemes and, in particular, the need for landscaping schemes involving the importation of inert waste material to have clear plans setting out what is proposed in terms of final contours.</p>	<p>New wording added to the requirements under the Supporting Planning Statement as follows “For landscaping schemes involving the importation of inert waste material, the supporting statement should detail the rationale behind the landform changes that are being proposed which should be supported by detailed pre and post contour plans submitted with the application”.</p>
Sport England	<p>Part Two: Supporting Planning Statement</p> <p>Sport England made no comments on the Validation Guidance but made reference to a weblink to further information which can be found on their own website.</p>	<p>Section 1: Supporting Planning Statement already includes the link to the Sport England website and therefore no changes to the Validation Guidance are proposed.</p>
North Leverton Parish Council	<p>Planning Application Checklist</p> <p>North Leverton Parish Council would like to make the following comment re the above Guidance Notes <i>Would it be possible to include some reference to Local Neighbourhood Plans in item 3 of the checklist at the rear of the document please? There is reference in the main body of the text, but it is missing from the checklist.</i></p>	<p>Comments noted. The Parish Council has been advised that the purpose of the checklist is for applicants to state which sections have been submitted (and it is not compulsory for applicants to use it). It is the Validation Guidance itself that determines what information needs to be submitted and, if approved, compliance with Local Neighbourhood Plans will be required. No changes to the Validation Guidance are therefore proposed.</p>
Veolia Environmental Services (UK) Ltd.	<p>Part Two: Design Assessment and Planning and Health</p> <p>The consideration of both design and health matters in the determination of planning applications should be applauded. However, it is considered necessary that validation local lists provide additional criteria and guidance by which the need for such specific assessments can be judged.</p>	<p>Comments noted. It is anticipated that for major development the need or otherwise for such information to be provided as part of the application will be determined at</p>

	<p>The National Planning Policy Framework (NPPF as revised in 2019) states that <i>“Local planning authorities should publish a list of their information requirements for applications for planning permission. These requirements should be kept to the minimum needed to make decisions”,</i> and that <i>“Local planning authorities should only request supporting information that is relevant, necessary and material to the application in question”</i> (para.44)</p> <p>The provision of guidance or thresholds for the need for such assessments will avoid the possible situation whereby applications remain invalid based upon arbitrary officer opinion rather than specific adopted principles.</p> <p>3. Design Assessment The working document states <i>“the County Council envisages this process being most appropriate for major County Council development, such as new or replacement schools, and other significant community facilities. Design reviews could also be appropriate for major waste management facilities depending on their location and scale.”</i> As acknowledged within the draft document, The Town and Country Planning (Development Management Procedure) (England) Order 2015 specifically excludes waste developments from the requirement for a Design and Access Statement. On this basis any requirement for design assessment within the validation document should provide clarity on and justification for the type or scale of waste development that may be considered ‘major’ for the purpose of design assessment under the validation list.</p> <p>The need for a full design assessment for small scale waste development is considered unduly onerous and unnecessary, given specific exclusion by the government from Design and Access Statements and that in many instances such development is largely designed based upon its specific function, as differing waste uses have specific design and operational requirements.</p> <p>9. Planning & Health The need for planning policy to consider the health and well-being of the community, set out in the NPPF is acknowledged. It is considered that to be a mandatory requirement for all new development is</p>	<p>the pre-application stage if advice is sought.</p> <p>Extra wording added to the Validation Guidance added for clarity, as follows: “Although the Development Management Procedure Order does not require Design and Access Statements for these types of development, this does not mean that design should not be a material consideration in the planning application process for these types of development where appropriate”.</p> <p>It is unlikely that a design assessment would be requested for a small-scale waste facility. However, for large scale waste proposals or those in sensitive locations the design of the development is likely to be a significant issue and should be considered at the earliest stage, preferably through pre-application discussions.</p> <p>The Validation Guidance does not state that this is a mandatory requirement for all applications but states that “All planning</p>
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	<p>unduly onerous and that there should be greater explanation and also screening or criteria-based guidance setting out the circumstances whereby they are required. The HIA guidance is predominantly, and understandably, designed to deal with housing and therefore does not take into account the specific requirements for new waste development.</p>	<p>applications which have <u>potential</u> health impacts should confirm that reference to the Planning and Health Framework has been made and <u>appropriate</u> mitigation measures are proposed. <u>Where</u> health impacts are identified this information can be submitted by completing the Matrix above or as part of the Supporting Planning Statement.”</p> <p>The Council considers this approach to be reasonable and proportionate. Again, pre-application discussions are encouraged and would confirm the need or otherwise for this type of assessment.</p>
Natural England	Natural England confirmed that they did not wish to comment on this consultation.	Comments noted, no changes to the Validation Guidance are proposed.
Collingham Parish Council	The Parish Council have no comments to make.	Comments noted
Blyth Parish Council	Blyth Parish Council have no comment on the consultation.	Comments noted