



NATIONAL AND LOCAL VALIDATION REQUIREMENTS FOR MINERALS PLANNING APPLICATIONS

DECEMBER 2021

Introduction

Essex County Council is the determining planning authority for the following types of applications:

- Mineral extraction and associated development – such as quarries, mineral wharves, rail heads and sand and gravel processing plants
- Waste proposals including landfill sites, waste transfer/recycling sites and scrap yards
- County Council's own development (Reg. 3) including new schools, school extensions, road development (where the Council is the Highway Authority), as well as development for other Council responsibilities such as libraries and Country Parks.

Planning applications for residential and commercial development are dealt with by the relevant District/Borough/City Council

- [Basildon Borough Council](#)
- [Braintree District Council](#)
- [Brentwood Borough Council](#)
- [Castle Point Borough Council](#)
- [Chelmsford City Council](#)
- [Colchester Borough Council](#)
- [Epping Forest District Council](#)
- [Harlow Council](#)
- [Maldon District Council](#)
- [Rochford District Council](#)
- [Tendring District Council](#)
- [Uttlesford District Council](#)

Unitary Authorities

Southend and Thurrock are unitary authorities. All planning applications for these areas should be addressed directly to the relevant authority.

[Southend Borough Council](#)

[Thurrock Council](#)

The purpose of the document

The purpose of this document is to provide applicants and agents with guidance on the information required by Essex County Council to support mineral planning applications. Please see other guidance notes for waste and Regulation 3 applications.

Paragraph 44 of the National Planning Policy Framework (NPPF) July 2021 requires local planning authorities to publish a 'local list' setting out their information requirements for planning applications.

Local lists should be reviewed every 2 years and accord with national planning guidance. The requirements should be kept to the minimum needed to make decisions. Local Planning Authorities should only request supporting information that is:

- Relevant
- Necessary
- Material to the application in question

The local list is not exhaustive and simply aims to cover the most common requirements of planning applications. During the course of an application, it may be necessary for Essex County Council to request additional information where it is considered necessary to determine the application.

If the application is submitted without the relevant supporting documents detailed in this document, it may lead to delays in processing and determining the application.

If the application is not accompanied by the relevant information outlined in the appropriate checklist, then the applicant/agent should provide a written statement setting out why it is considered the information is not appropriate.

Pre-application

Essex County Council recommends that applicants/agents discuss their proposals with a planning officer before submitting an application. Various levels of [pre-application advice](#) are provided by the County Council to help inform the preparation of planning applications.

As part of pre-application discussions, the planning officer can advise which supporting documents would be required and whether an Environmental Impact Assessment (EIA) would be required as part of the application.

Submission of Planning Applications

Applicants/agents are encouraged to submit planning applications electronically via the Planning Portal (where possible).

If applications are submitted electronically (this includes on USB storage device) no paper copies of the application are required, unless accompanied by an EIA/Environmental Statement. However, for major applications, it would assist the case officer if one paper copy of the application (particularly large-scale drawings) was provided.

If applications are not submitted electronically one paper copy of the application should be provided. Confirmation on the final number of paper copies required should be discussed with the case officer as part of the pre-application.

Planning application fees can be paid via the Planning Portal, [online](#) via credit card, or via internal journal transfer.

Online submissions

The following standards for on-line submissions are recommended to help towards timely planning decisions:

- Firewall restrictions limit the maximum size of individual attachments to 10MB. Documents exceeding this limit can be submitted on portable media such as USB. The Planning Portal reference number should be clearly marked on the device.
- Supporting documents and attachments should be in PDF format. (This avoids the need to convert documents into PDF, which is the format used by all to publish details on the website. It also avoids the loss of document quality caused by printing, scanning and the format of non-PDF files prior to publication).
- The original paper size should be marked on all drawings. This ensures the scale and dimension used will remain accurate if printed. (The scale becomes inaccurate when a margin is added to a drawing (shrink to fit distortion)).
- Avoid multiple images on a single drawing. Site and/or location plans should be submitted on separate A4 or A3 drawings rather than incorporated with other plans and elevations. This avoids the need to scan in colour to accommodate red and blue lines and makes drawings easier to locate on the County's on-line system.
- Only single PDF plans should be sent as attachments without layers. This avoids the need for multiple drawings to be converted into individual plan attachments. (There is a specific checkbox to save the PDF without the layers on, which should be selected before the drawings are saved and submitted).
- All drawings should include a scale bar, north point (where appropriate) and at least one key dimension in addition to the original paper size. (Where possible the original paper size should be limited to A3 as it is more convenient and quicker to deal with). Drawings should be to scale, unless there are special circumstances, in which case they should be annotated 'DO NOT SCALE'.

- CAD drawings converted to PDF should be created in landscape to ensure the correct orientation for on-screen display.
- File names should reflect the content. Best practice recommendations include:
 - Providing a clear description of the plan or document in the file name
 - The title of the plan or document not just using a drawing number or reference
 - Avoiding the use of special characters in file names

Personal data and planning applications

Please note that the information provided on the application form and in any accompanying documents may be published on Essex County Council's website.

To avoid the publication of personal details, do not include them, or any other information which falls within the definition of personal data under the [Data Protection Act 2018](#), in documents supporting the application.

County Matter Applications – Minerals

[Schedule 1 of the Town and Country Planning Act 1990](#) defines 'mineral' related county matters as:

- a) The winning and working of minerals
- b) The erection of any building, plant or machinery used in connection with the winning and working of minerals or for the treatment or disposal of minerals on land adjoining mineral workings
- c) The erection of any building, plant or machinery used in connection with the grading, washing, grinding or crushing of minerals
- d) The erection of any building, plant or machinery (or use of land) for any process of preparing or adapting for sale of any mineral or the manufacture of any article from a mineral where:
 - i. The development is on or adjoining the mineral working
 - ii. The mineral is brought from the mineral working by a pipeline, conveyor belt, aerial ropeway or similar plant or machinery, or by private road, private waterway or private railway
- e) The use of land for any purpose required in connection with rail or water transport for aggregates (including manufactured aggregates, slags, fuel ash or mineral waste) and the erection of associated buildings, plant and machinery
- f) The erection of buildings, plant and machinery for the coating or roadstone, producing concrete, concrete products or artificial aggregates, where
- g) The development in, on land forming part of or adjoining land used in connection with the rail or water transportation of aggregates
- h) Searches and tests for mineral deposits (and the erection of associated buildings, plant and machinery)
- i) Depositing of mineral waste
- j) Cement works

- k) Any development on a current or disused mineral site or current or disused landfill site which would conflict with or prejudice compliance with a restoration condition imposed in respect of the mineral working

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NATIONAL REQUIREMENTS

This section identifies the minimum statutory information required in support of a planning application; the policy drivers for each requirement and where further information can be found.

Planning application form

- Required by [Article 7 of the Town and Country Planning \(Development Management Procedure\) \(England\) Order 2015](#) for all applications
- [Minerals application form](#) should be fully completed, signed and dated (the 1app form does not apply to mineral applications)

Planning Application fee

Required by [Article 11 of the Town and Country Planning \(Development Management Procedure\) \(England\) Order 2015](#)

Applications which are subject to a planning application fee include (but are not limited to):

- Applications for planning permission, including 'retrospective applications' where development has already taken place
- Applications for the approval of reserved matters following the grant of outline planning permission
- Applications under Section 73 of the Town and Country Planning Act 1990 to vary a condition following the grant of planning permission
- Deemed applications
- Applications for lawful development certificates
- Requests for written confirmation of compliance with a planning condition

The full list is available to view at <https://www.gov.uk/guidance/fees-for-planning-applications>

A planning application fee is **not** required for the following types of applications:

- Applications for consents (other than 'reserved matter' approvals) required by a condition imposed on an outline permission
- Applications for listed building or scheduled monument consent
- Applications under section 19 of the Planning (Listed Buildings and Conservation Areas) Act 1990 for discharge of conditions imposed on a listed building consent
- Applications to demolish an unlisted building in a Conservation Area (exempt under Regulation 5a of the 2021 Fees Regulations)
- Applications for review of mineral permissions under Schedules 13 and 14 of the Environment Act 1995

The full list is available to view at <https://www.gov.uk/guidance/fees-for-planning-applications>

Payment of fees

- Via credit card on the Planning Portal
- Via credit card on [ECC website](#)
- Via internal transfer for Regulation 3 applications
- Via cheque made payable to Essex County Council

References

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

Site location plan

Required by [Article 7 of the Town and Country Planning \(Development Management Procedure\) \(England\) Order 2015](#) for all applications (except approval of details reserved by condition and non-material amendment applications)

The site location plan should:

- Be based on an up-to-date map
- Be at an identifiable scale of 1:1250 or 1:2500 (where possible)
- Be scaled to fit onto A3 or A4 size paper (where possible)
- Identify sufficient roads and/or buildings on land adjoining the application site to ensure that the exact location of the site is clear
- Be edged clearly with a red line around all land necessary to carry out the proposed development (e.g. land required for access to the site from a public highway, visibility splays, landscaping, car parking & open spaces around buildings)
- Have a blue line around other land owned by the applicant close to or adjoining the application site
- Indicate a north point
- Include a linear scale

Certificates¹²

Required by [Article 13 and Schedule 2 of the Town and Country \(Development Management Procedure\) \(England\) Order 2015](#) for all applications except:

- Approval of reserved matters
- Renewal of temporary permission
- Discharge or variation of conditions
- Lawful development certificates
- Non-material amendments

Certificate A – if the applicant is the sole owner of the land to which the application relates and there are no agricultural tenants

Certificate B – if the applicant is not the sole owner of the land to which the application relates, or if there are agricultural tenants and the applicant knows the names and addresses of all the other owners and/or agricultural tenants

Certificate C – if the applicant does not own all of the land to which the application relates and does not know the names and addresses of all of the owners and/or agricultural tenants

Certificate D – if the applicant does not own all of the land to which the application relates and does not know the names and addresses of any of the owners and/or agricultural tenants

- A typed signature of the applicant's name is acceptable for an electronically submitted certificate
- Any hard copy certificate submitted with the application form must be signed by hand
- Ownership certificates must be completed for applicants for Listed Building Consent but no agricultural declaration is required

Notice of Ownership

Required for all applications under [Article 13 of the Town and Country Planning \(Development Management Procedure\) \(England\) Order 2015](#) where there are owners of the application site other than the applicant

A signed certificate confirming the ownership of the land to which the application relates and that the relevant notices have been served in accordance with [Article 13 of the DMPO](#)

¹ An 'owner' is anyone with a freehold interest, or leasehold interest the unexpired term of which is not less than seven years. In the case of development consisting of the winning and working of minerals, a person entitled to an interest in a mineral is also an owner

² An 'agricultural tenant' is a tenant of an agricultural holding, any part of which is comprised in the land to which the application relates

Agricultural Land declaration

Required by [Article 14 of the Town and Country Planning \(Development Management Procedure\) \(England\) Order 2015](#) for all applications except:

- Approval of reserved matters
- Renewal of temporary permission
- Discharge or variation of conditions
- Listed Building Consent
- Lawful Development certificates
- Non-material amendments

Required whether or not the application site includes an agricultural holding

All agricultural tenants must be notified prior to the submission of the application as required by [Article 13 of the DMPO](#)

Design and Access Statement (DAS)

Required by [Article 9 of the Town and Country Planning \(Development Management Procedure\) \(England\) Order 2015](#) for the following:

- Applications for major development ³
- Applications for development in a designated area⁴ where the proposed development consists of a building or buildings where the floor space created by the development is 100m² or more
- Applications for Listed Building consent

A DAS is not required for the following applications:

- Waste development
- A material change of use
- Engineering or mining operations
- Section 73 (variation or removal of conditions)

A DAS should:

- a) Explain the design principles and concepts that have been applied to the development
- b) Demonstrate the steps taken to appraise the context of the proposed development and how the design of the development takes that context into account
- c) Explain the applicant's approach to access and how relevant Local Plan policies have been taken into account
- d) Detail any consultation undertaken in relation to access issues and how the outcome of this consultation has informed the proposed development
- e) Explain how any specific issues which might affect access to the development have been addressed

For Listed Building consent the following is also required:

- a) The special architectural or historical importance of the building
- b) The particular physical features of the building that justify its designation as a listed building
- c) The setting of the building
- d) Explain how the issues relating to access to the building have been dealt with
- e) 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
- f) Statements must also explain how the applicant's approach to access takes account of matters (a) to (c) above

³ As defined in Article 2 of the Town and Country Planning (Development Management Procedure) (England) Order 2015

⁴ A Conservation Area or property appearing on the World Heritage List kept under article 11(2) of the 1972 UNESCO Convention Concerning the Protection of the World Cultural and National Heritage (a World Heritage Site)

- Explain how any specific issues which might affect access to the building have been addressed

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LOCAL REQUIREMENTS

Site/Block Plan

Required by [Article 7 of the Town and Country Planning \(Development Management Procedure\) \(England\) Order 2015](#) for all applications except Outline

- Recommended scale of 1:500 or 1:200
- Accurately show direction of north
- Show proposed development in relation to the site boundaries and other existing buildings on the site, with written dimensions including those to the boundary
- Include all buildings, roads and footpaths on land adjoining the site including access arrangements
- Show all public rights of way⁵ crossing or adjoining the site
- Show the position of all trees on the site and those on adjacent land that could influence or be affected by the development
- Show the extent and type of any hardstanding
- Show proposed boundary treatments including walls and/or fences

⁵ Footpath, bridleway, restricted byway or byway open to all traffic

Existing and Proposed Elevations

Required by [Article 7 of the Town and Country Planning \(Development Management Procedure\) \(England\) Order 2015](#) for all applications where new built development is proposed

- Recommended scale of 1:50 or 1:100
- Drawings should clearly show proposed works in relation to what is already on site
- All sides of the proposal should be shown and should indicate, where possible, the proposed building materials and the style, materials and finishes of windows and doors
- Blank elevations should also be shown, if only to show this is the case
- Where a proposed elevation adjoins another building or is in close proximity, the drawings should clearly show the relationship and detail the positions of the openings on each property

Existing and Proposed Floor plans

Required by [Article 7 of the Town and Country Planning \(Development Management Procedure\) \(England\) Order 2015](#) for applications for new development and for existing buildings altered by the proposed development

- Recommended scale of 1:50 or 1:100
- Details of the proposal
- Clearly show where existing buildings or walls are to be demolished
- Submitted drawings should show details of existing buildings as well as those for the proposed development
- New buildings should be shown in context with adjacent buildings

Existing and Proposed Site Sections (including finished floor and site levels)

Required by [Article 7 of the Town and Country Planning \(Development Management Procedure\) \(England\) Order 2015](#) for all applications where the existing or proposed site levels would impact on built development or be permanently changed by proposed restoration

- Recommended scale of 1:50 or 1:100
- Existing topographical survey
- Cross sections through proposed building/development at various intervals/locations
- Where a change in ground levels is proposed, illustrative drawings should be submitted to show both existing and proposed finished levels, including details of foundations and eaves and demonstrating how encroachment onto adjoining land would be avoided
- Details to demonstrate how the proposed buildings relate to existing site levels and neighbouring development
- Plans to show existing site levels and finished floor levels (with levels related to a fixed datum point off site) and show the proposals in relation to adjoining buildings
- Plans to show existing site levels and restoration levels (with levels related to a fixed datum point off site) and shown how the proposals relate to surrounding levels/landscape (at least 250 from proposed changes)
- Plans showing phased working and restoration and locations for storage of topsoil, subsoil and overburden over time.

Roof Plans

Required by [Article 7 of the Town and Country Planning \(Development Management Procedure\) \(England\) Order 2015](#) for any application where a new roof would be created by the proposed development or an existing roof would be altered

- Recommended scale of 1:50 or 1:100
- Show the shape of the roof and include details of roofing materials, vents, rooflights, solar panels etc and their location

Photographs and photomontages

Required for applications where the development would result in a significant change in the appearance of a building and/or landscape (including the demolition of an existing building. This includes development affecting Listed Buildings and Conservation Areas.

- Photographs to show the external appearance of a building/s or area/s in its current state and photomontages to show the proposed change
- Computer generated images may also be helpful

Planning Statement

Required by [Article 7 of the Town and Country Planning \(Development Management Procedure\) \(England\) Order 2015](#) for all applications

The Statement should be commensurate with the scale of proposed development

The Statement should include:

- An explanation of the principles behind and the justification for the proposed development
- A description of the site setting out the physical features of the site and its surroundings
- A description of the site's existing use, planning/environmental designations and physical constraints
- Fully describe the scope of the proposed development (existing demand, projected future demand, expected annual tonnage, how the proposed development would contribute towards the landbank)
- Nature of the minerals to be extracted, total tonnage/volume of mineral
- Overburden to mineral ratio across the site
- If to be washed, anticipated silt percentage and proposals for management of silt (if any)
- Information on the geology and topography of the site (relevant land stability, water table levels, ground conditions etc.)
- Details of boundary treatment
- Proposed restoration afteruses and aftercare management
- Summary of supporting and technical information submitted as part of the application
- An explanation as to how the proposed development accords with national and local plan policy
- Details of pre-application consultation (including community engagement) carried out prior to the submission of the application

Statement of Community Involvement

It is good practice to engage with the community at an early stage of any proposed development, especially 'major development'⁶ as defined in the Development Management Procedure Order. Exceptions would include small scale proposals where the potential impact would be limited in scale and area.

The Statement should demonstrate how the applicant has complied with the requirements set out in the County Council's Statement of Community Involvement (SCI) and demonstrate how the views of interested parties were sought and taken into account prior to the submission of the planning application.

References

Essex County Council's [Statement of Community Involvement](#) adopted September 2015 revised July 2020.

⁶ The winning and working of minerals or the use of land for minerals-working deposits, waste development, the provision of a building or buildings where the floor space to be created by the development is 1,000m² or development is carried out on a site having an area of 1 hectare or more

Agricultural Justification Statement

Required by Policy S12 (Mineral Site Restoration and Aftercare) and Policy DM1 (Development Management Criteria) of the [Minerals Local Plan](#)

Required for applications for agricultural reservoirs where mineral is proposed to be extracted and exported to create the reservoir landform.

The statement should include:

- Justification for the proposed development
- Scale plan which clearly shows all the land that would benefit from the proposed reservoir
- Relevant agricultural information (ALC, crop rotation etc.) for all land which would be supported by the reservoir

References

[NPPF](#) – Section 17 (Facilitating the sustainable use of minerals)

Airport Safeguarding Statement

Required by [The Town and Country Planning \(Safeguarded Aerodromes, Technical Sites and Military Explosives Storage Areas\) Direction 2002](#) updated December 2016 and Policy DM1 (Development Management Criteria) of the [Minerals Local Plan](#)

Required for all applications within the consultation area of civil and military aerodromes and airstrips⁷ involving:

- Mineral extraction including landfill
- Waste management involving landfilling, composting, recycling, treatment
- Any development over 90m in height
- Gas flaring or venting
- Any building or structure, which because of its size, shape, location or construction has the potential to act as a reflector or diffractor of the radio signals on which navigational aids and telecommunication systems depend
- Lighting which has the potential to distract or confuse pilots
- Development which has the potential to increase the number of birds or bird risk hazard

The statement should include:

- An accurate site plan of the proposed development with the site clearly outlined and six figure (Ordnance Survey) eastings and northings grid references
- The ground level of the site to an accuracy of 0.25m Above Ordnance Datum (AOD)
- The layout, dimensions, materials and particularly, heights, of the proposed development above ground level
- Any landscaping and/or Sustainable Urban Drainage (SuDs) proposals
- Any associated construction or development lighting details
- Any other information that may be deemed necessary to assess the application (installation of pv solar panels on buildings)
- Details of major tree planting or proposed nature reserves which may attract birds

References

[NPPF](#) – Section 17 (Facilitating the sustainable use of minerals)

⁷ London Stansted, Southend, North Weald, Earls Colne, Andrewsfield Aerodrome, Clacton, Stapleford Aerodrome

Air Quality Impact Assessment

Required by the [Environment Act 1995 Part IV Air Quality](#) and Policy DM1 (Development Management Criteria) and Policy S10 (Protecting and Enhancing the environment and local amenity) and Policy DM1 (Development Management Criteria) of the [Minerals Local Plan](#) and Policy DM16 (Air Quality) of the [ECC Highways Development Management Policies](#) and Policy DM9 (The Natural, Historic and Built Environment) of the [Essex Transport Strategy](#)

Required where development is:

- Within or adjacent to an Air Quality Management Area (AQMA)
- Where the development could in itself, result in the designation of an AQMA
- Where the granting of planning permission would conflict with, or render unworkable elements of a local authority's air quality action plan (AQAP)
- Significantly affect traffic in the immediate vicinity of the proposed development site or further afield (e.g. generating or increasing traffic congestion, significantly changing traffic volumes, vehicle speed or both)
- Significantly altering the traffic composition on local roads
- Introducing new point sources of air pollution
- Exposing people to existing sources of air pollutants

Assessments should be proportionate to the nature and scale of the development and the level of concern about air quality. The scope and content of information is best discussed and agreed between ECC and the applicant before it is commissioned.

The following could be included in assessments and be usefully agreed at the outset:

- A description of baseline conditions and how these could change
- Relevant air quality concerns
- The assessment methods to be adopted and any requirements around verification of modelling air quality
- Sensitive locations
- The basis for assessing impact and determining the significance of an impact
- Construction phase impact; and/or
- Acceptable mitigation measures

If there is an AQAP in place the proposed development should be in accordance with that Plan.

References

[Planning Practice Guidance](#) – Air Quality

[NPPF](#) - Section 15 (Conserving and enhancing the natural environment) and Section 17 (Facilitating the sustainable use of minerals)

[Essex Design Guide](#)

Archaeological Assessment

Required by [NPPF](#) - Section 16 (Conserving and enhancing the historic environment) and [The Ancient Monuments and Archaeological Areas Act 1979](#) and Policy DM1 (Development Management Criteria) and Policy S10 (Protecting and enhancing the environment and local amenity) of the [Minerals Local Plan](#)

Required for all applications for development within an Area of Archaeological Potential that involves a new building or disturbance of the ground.

The Assessment should include the following:

- Description of the significance of the heritage assets affected by the proposed development and their contribution to the site
- A desk-based assessment of the impact of the proposal. It should show the sources that have been considered and the expertise that has been consulted
- Any relevant supporting documentation, such as plans showing historic features that may exist on or adjacent to the development site. This includes listed buildings and structures, historic parks and gardens and historic battlefields.

A desk-based assessment is designed to provide baseline data on the potential archaeological and heritage assets that may be affected by a proposed development.

An archaeological investigation is a physical investigation of a place carried out by an appropriately qualified person for the purpose of investigating, recording or conserving the archaeological artefacts or underwater cultural heritage artefacts of a place.

References

Essex [Historic Environment Record](#) (EHER)

[Planning Practice Guidance](#) – Historic Environment

[Historic England](#) website

Biodiversity Checklist

Required by Policy S10 (Protecting and enhancing the environment and local amenity) and Policy DM1 (Development Management Criteria) of the [Minerals Local Plan](#)

Required for all applications for major development⁸ and recommended for all development where there may be adverse impacts on biodiversity.

All sections within the checklist should be completed

Biodiversity Surveys and Reports

Required by Policy DM1 (Development Management Criteria) and Policy S10 (Protecting and enhancing the environment and local amenity) of the [Mineral Local Plan](#).

Required for all applications which have the potential to affect Protected Sites⁹, European Protected Species¹⁰, National Protected Species¹¹, Priority Habitats and Species¹²

Surveys and assessments may not be required if pre-application advice has been received from Natural England and/or Essex County Council's ecologist confirming they do not consider the proposed development would have an impact on any designated sites.

If it is clear that no protected or priority species are present, despite the guidance in the Biodiversity Checklist indicating that they are likely, the applicant should provide evidence with the planning application to demonstrate that such species are absent (e.g. report from a suitably qualified and experienced person).

Preliminary Ecological Appraisal (PEA)

Consists of a desk-based study collating data on statutory designated sites and priority habitats, locally designated sites and existing records of protected and priority species within the vicinity of the site.

Extended Phase 1 Habitat Survey

- Contains details of the habitats present on the development site and surrounding area
- Information on the plant species present and their abundance

⁸ The winning and working of minerals or use of and for minerals-working deposits, waste development, the provision of a building or buildings where the floor space to be created by the development is 1,000m² or development is carried out on a site having an area of 1 hectare or more

⁹ Special Areas of Conservation (SAC), Special Protection Areas (SPA), Ramsar Sites, Sites of Special Scientific Interest (SSSI), Local Wildlife Sites and Special Roadside Verges

¹⁰ Species protected under the Conservation of Habitats and Species Regulations 2010 (as amended)

¹¹ Species protected under the Wildlife & Countryside Act 1981 (as amended) and Badgers (The Protection of Badgers Act 1992)

¹² Habitats of Principal Importance In England (Priority Habitats) and Species of Principal Importance in England (Priority Species)

- Potential of the site for protected and priority species is assessed and recorded
- Guidance on measures that could be incorporated into the proposed development design to avoid and mitigate ecological impact.
- Identifies the need for further surveys required. These would form part of the Ecological Impact Assessment
- Identifies the need for a Biodiversity Statement and Mitigation Plan if potential impacts from the development (either direct or indirect) are likely to harm protected species and/or habitats

References

[Environment Act November 2021](#)

[Conservation of Habitats and Species Regulations 2017.](#)

[NPPF](#) – Section 15 (Conserving and enhancing the natural environment) and Section 17 (Facilitating the sustainable use of minerals)

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

[Planning Practice Guidance](#) – Natural Environment

[Planning Practice Guidance](#) – Appropriate Assessment

[MAGIC Map](#)

[Essex Design Guide](#)

Borehole or trial pit analysis

Required by Policy S10 (Protecting and enhancing the environment and local amenity) and Policy DM1 (Development Management Criteria) of the [Minerals Local Plan](#)

For applications involving mineral extraction and restoration

- Results of soil surveys and investigations including depth of soils
- Mineral content
- Position of winter water table (details of which should be included on sectional drawings)

References

[NPPF](#) – Section 17 (Facilitating the sustainable use of minerals)

Climate Change, Energy Statement, Renewable Energy, Sustainability Statement

Required by [Climate Change Act 2008](#) and Policy DM3 (Climate Change) of the [Minerals Local Plan](#)

Required for all applications for major¹³ development

The Statement should include:

- Sustainability appraisal outlining the elements of the proposed development which address sustainable development issues (e.g. choice of building design, facilities aimed at reducing energy needs, water consumption and overall carbon footprint)
- Details of how sustainable design and construction have been addressed (e.g. reducing energy consumption and carbon emissions, minimising waste and increasing recycling, conserving water resources, incorporation of green infrastructure, sustainable drainage systems (SuDs), minimising pollution, maximising use of sustainable materials and adaptation to climate change)

References

[NPPF](#) – Section 14 (Meeting the challenge of climate change, flooding and coastal change)

[Essex Design Guide](#)

¹³ The winning and working of minerals or the use of land for minerals-working deposits, waste development, the provision of a building or buildings where the floor space to be created by the development is 1,000m² or development is carried out on a site having an area of 1 hectare or more

Construction Management Plan

Required by Policy DM1 (Development Management Criteria) of the [Minerals Local Plan](#)

Required for all applications which propose to bring large plant onto the site or where access to the site is considered sensitive

The Plan should include (but not be limited to) details of:

- parking for vehicles of site personnel, operatives and visitors
- Loading and unloading of plant and materials
- Storage of plant and materials
- Programme of works, including measures for traffic management, vehicle routing, hours of operation, numbers of HGV and design of delivery areas
- Provision of boundary hoarding behind any visibility zones
- Specifications for vehicle turning within the site to enable vehicles to leave the site in forward gear
- Measures for the suppression and control of dust during construction
- Wheel washing facilities

References

[NPPF](#) – Section 9 – Promoting Sustainable Transport

Dust Impact Assessment

Policy S10 (Protecting and enhancing the environment and local amenity) and Policy DM1 (Development Management Criteria) of the [Minerals Local Plan](#)

Required for all development for mineral extraction and waste management facilities

The dust assessment should:

- Establish the baseline conditions of the existing dust climate around the proposed site
- Identify site operations that could lead to dust emissions without mitigation
- Identify site parameters which may increase potential impacts from dust
- Recommend mitigation measures
- Provide details relating to the monitoring and reporting of dust emissions to ensure compliance with appropriate environmental standards and to enable an effective response to complaints

The assessment should be undertaken by a competent person/organisation

References

[NPPF](#) – Section 17 (Facilitating the sustainable use of minerals)

Economic Statement

Required by [NPPF](#) - Section 6 (Building a strong competitive economy) and Policy S1 (Presumption in Favour of Sustainable Development) of the [Minerals Local Plan](#).

Required for all applications which propose regeneration, creation of new employment uses or result in the loss of existing employment uses or change the use of a site or building which is allocated for employment in the Local Development Plan.

The Statement should include:

- the regeneration benefits of the proposed development, including details of new jobs to be created or supported,
- the relative floorspace totals for each proposed use (where known),
- any community benefits referenced back to the Community Strategy or any relevant parish/community plan or study and reference to any regeneration strategies that might lie behind or be supported by the proposed development.

References

[NPPF](#) – Section 17 (Facilitating the sustainable use of minerals)

Environmental Impact Assessment

Required by the [Town and Country Planning \(Environmental Impact Assessment\) Regulations 2017](#)

Required for all applications proposing development included in [Schedule 1](#) or [Schedule 2](#) of the EIA Regulations which may have significant effects on the environment

[Schedule 4](#) of the EIA Regulations sets out the information which should be included within the Environmental Statement and Non-Technical Summary.

References

[Planning Practice Guidance](#) – Environmental Impact Assessment

Flood Risk Assessment

Required by the [Flood and Water Management Act 2010](#) and [NPPF](#) - Section 14 (Meeting the challenge of climate change, flooding and coastal change) and Policy S3 (Climate Change) and Policy DM1 (Development Management Criteria) of the [Minerals Local Plan](#)

Required for all applications which propose development:

- in Flood Zone 2 or 3 including minor development and change of use
- Of more than 1 hectare in Flood Zone 1
- Of less than 1 hectare in Flood Zone 1, including a change of use in a development type to a more vulnerable class (e.g. from commercial to residential), that could be affected by sources of flooding other than rivers and the sea (e.g. surface water drains, reservoirs)
- In an area within Flood Zone 1 which has critical drainage problems as notified by the Environment Agency

A Flood Risk Assessment is not required for development less than 1 hectare in Flood Zone 1 unless it could be affected by sources of flooding other than rivers and the sea (e.g. surface water drains)

The Environment Agency's standing advice should be followed if a Flood Risk Assessment is being undertaken for development classed as:

- A minor extension (household extensions or non-domestic extensions less than 250 square metres) in Flood Zone 2 or 3
- 'more vulnerable' in Flood Zone 2 (except for landfill or waste facility sites, caravan or camping sites)
- 'less vulnerable' in Flood Zone 2 (except for agriculture and forestry, waste treatment, mineral processing and water and sewerage treatment)
- 'water compatible' in Flood Zone 2

The Standing Advice should also be followed for development involving a change of use into one of the vulnerable categories or into the water compatible category

Sequential Test

A Sequential Test is required if both of the following apply:

- The proposed development is in Flood Zone 2 or 3
- A Sequential Test hasn't already been done for the type of development proposed for the site.

The sequential test compares the proposed site with other available sites to determine which has the lowest flood risk

If the sequential test shows that there are not any suitable alternative sites an exception test may be required.

A Sequential Test is not required if either of the following apply:

- The proposed development is minor development
- The proposed development involves a change of use (e.g. from commercial to residential) unless the development is a caravan, camping chalet, mobile home or park home site

A Sequential Test is also not required for development in Flood Zone 1 unless there are flooding issues in the area of the proposed development.

Exception Test

An Exception Test is required if the proposed development is:

- Highly vulnerable and in Flood Zone 2
- Essential infrastructure in Flood Zone 3a or 3b
- More vulnerable in Flood Zone 3a

The Exception Test shows how flood risk will be managed on and off site

The Flood Risk Assessment should include:

- A location plan showing street names; any rivers, streams, ponds, wetlands or other bodies of water; and other geographical features (e.g. railway lines, schools, churches etc.)
- Site plan showing the existing site; the development proposal and structures which could affect water flow (e.g. bridges, embankments etc.)
- Survey showing the existing site levels¹⁴ and the levels of the proposed development
- A cross section of the site showing finished floor or road levels and any other levels that inform the flood risk (e.g. existing raised banks and flood defence walls).
- An assessment of the risk to the proposed development if there was a flood
- Consideration of flooding from other sources (e.g. surface water drains, canals etc.) as well as from rivers and the sea and the inclusion of an allowance for climate change
- The estimated level for the proposed site (i.e. the 1 in 100 year river flood level or the 1 in 200 year tidal flood level)
- Estimation of the duration of a flood
- Estimation of the rate of surface water runoff
- Estimation of the order in which areas of the site would be flooded
- Estimation of the consequences for people living on or using the site
- Details of past flooding incidents on the site (where available)
- An assessment of surface water runoff from the site

¹⁴ Site levels should be stated in relation to the Ordnance Datum (the height above average sea level)

- An estimation of how much surface water runoff (excess water that flow over surfaces) the proposed development would generate – both the volume and rate of the runoff
- Details of the existing methods for managing surface water runoff¹⁵ (e.g. drainage to a sewer)
- Details for managing surface water ensuring no increase in level of surface water runoff
- Details of existing flood resistance and resilience measures on the proposed site
- Capacity of drains or sewers (existing and proposed) on the proposed site
- Details of how the proposed development would reduce flood risk
- Details of how people would leave buildings during a flood
- Explanation of how raised flood embankments or changes to ground levels could affect water flow
- Explanation of how the proposed development could affect rivers and their floodplain or coastal areas
- Explanation of residual risks to the proposed site after any necessary flood defence have been built and how these risks would be managed
- Details of the extra flood resistance and resilience measures that need to be undertaken to reduce flood risk
- If an environmental permit is required and whether it has been applied for
- If the proposed development falls within the functional flood plain¹⁶ (only 'water compatible' development or 'essential infrastructure' that has met the requirements of the exception test are allowed in the functional floodplain
- Details showing that any water compatible or essential infrastructure developments have been designed to stay safe and operational during a flood; avoid blocking water flows or increasing flood risk elsewhere and avoid loss of floodplain storage (i.e. loss of land where flood waters used to collect
- Details of the extra flood and resilience measures included in the design of the proposed development

References

[Planning Practice Guidance](#) – Flood Risk and Coastal change

[Environment Agency Standing Advice](#)

[Essex Design Guide](#)

¹⁵ Surface water runoff describes flooding from sewers, drains, groundwater and runoff from land, small water courses and ditches that occurs as a result of heavy rainfall

¹⁶ Land where water has to flow or be stored in times of flood

Foul Sewage and Utilities Assessment

Required by the [NPPF](#) - Section 14 (Meeting the challenge of climate change, flooding and coastal change) and [National Policy Statement for Waste Water](#).

Required for all applications:

- for new built development which requires separate connections to foul and storm water sewers
- which propose to connect a development to the existing system.
- Where development involves the disposal of trade waste or the disposal of foul sewage effluent other than to the public sewer.
- where the proposed development results in changes to the existing system or the creation of a new system

The Assessment should include:

- Details of the existing system
- A full assessment of the site, its location and suitability for storing, transporting and treating sewage
- Details of connection to the mains sewer. If this is not practical it should be demonstrated why this is not possible and show alternative means of disposal are satisfactory
- Scale plans of any new foul drainage arrangements
- Details of how the proposed development connects to the existing utility infrastructure system
- Details of the availability of utility systems that have been examined and confirmation that the proposed development would not result in undue stress on the delivery of those services to the wider community
- Details of any utility company requirements for substations, telecommunications equipment or similar structures
- Confirmation that service routes have been planned to avoid the potential for damage to trees and archaeological remains
- Details of agreement with the service provider for the relocation and/or protection of existing infrastructure

References

[Planning Practice Guidance](#) – Water supply, wastewater and water quality

[Building Regulations Approved Document Part H](#)

Green Belt Statement

Required by District/Borough/City Council local plan policies

All applications which propose additional floor space within the Green Belt

The Statement should include:

- A justification for the proposed development
- Alternative sites that have been investigated and reasons for rejection
- 'Very special circumstances' (if relevant)
- How the proposed development has been designed and located to reduce the impact on the openness of the Green Belt
- For extensions to buildings or replacement buildings in the Green Belt, volume calculations (measured externally) of the existing building, the proposed extension/replacement building and any previous extensions to the building

Mineral extraction is not considered to be inappropriate development in the Green Belt providing the openness of the Green Belt is preserved and does not conflict with the purpose of including land in the Green Belt.

References

[NPPF](#) – Section 13 (Protecting Green Belt Land)

[Planning Practice Guidance](#) – Green Belt

Health Impact Assessment (HIA)

Required by District/Borough/City Council local plan policies and Policy S10 (Protecting and enhancing the environment and local amenity) and Policy DM1 (Development Management Criteria) of the [Minerals Local Plan](#)

Required for applications for major¹⁷/strategic¹⁸ development

An HIA should consider the health impacts of proposed development. It should also assess the impact of a development on existing services and facilities.

An HIA should include recommendations to help enhance the positive consequences for health and avoid or minimise negative consequences.

An HIA should include:

- Details on building design and quality
- Access to community facilities and other social infrastructure
- Access to open spaces and the natural environment
- Air quality and noise impact
- Accessibility and travel options
- Crime reduction and community safety
- Social cohesion
- Minimising the use of resources

References

[NPPF](#) – Section 8 (Promoting healthy and safe communities) and Section 17 (Facilitating the sustainable use of minerals)

[Essex Design Guide](#)

[Health Impact Assessment Tools – Department of Health](#)

¹⁷ The winning and working of minerals or the use of land for minerals-working deposits, waste development, the provision of a building or buildings where the floor space to be created by the development is 1,000m² or development is carried out on a site having an area of 1 hectare or more

¹⁸ All new mineral workings covering more than 15 hectares or involve the extraction of more than 30,000 tonnes of mineral per year or installations (including landfill sites) for the deposit, recovery and/or disposal of household, industrial and/or commercial wastes where new capacity is created to hold more than 50,000 tonnes per year, or to hold waste on a site of 10 hectares or more or have the potential for a significant adverse environmental impact (i.e. likely to require Environmental Impact Assessment).

Heritage Statement

Required by [Planning \(Listed Buildings and Conservation Areas\) Act](#) 1990 and [NPPF](#) - Section 16 (Conserving and enhancing the historic environment) and Policy S10 (Protecting and enhancing the environment and local amenity) and Policy DM1 (Development Management Criteria) of the [Minerals Local Plan](#)

Required for any application which could affect/impact a heritage asset¹⁹

Any works to a Listed Building or any proposals for the demolition of a building within a Conservation Area may also require Listed Building Consent or Planning Permission.

The Statement should include:

- Details of the history and development of the asset using photographic, map, archival and fabric evidence
- Be accompanied by photographic records showing the site context and features which may be affected by the proposal, preferably cross-referenced to survey drawings
- An assessment of the archaeological, historical or other significance of the asset
- An assessment of the impact of the proposed works on the significance of the asset
- Statement of justification for the proposed works
- Details of mitigation measures

References

[Planning Practice Guidance](#) – Conserving and enhancing the historic environment

[Historic England](#) website

[Essex Design Guide](#)

¹⁹ Listed Building, Scheduled Monument, Protected Wreck Site, Registered Parks, Gardens and Battlefields, World Heritage Sites, Conservation Area

Hydrology/Hydrogeology Assessment

Required by [NPPF](#) - Section 15 (Conserving and enhancing the natural environment) and Policy S10 (Protecting and enhancing the environment and local amenity) and Policy DM1 (Development Management Criteria) of the [Minerals Local Plan](#)

Required for any development which involves disturbance to the ground that could affect the water table and the movement of water (under and around the site) or involves the use of materials and processes that could result in the pollution of the water environment.

The assessment should include:

- Calculation of the extent and volumes of dewatering
- Details of topography and surface drainage, artificial ground, superficial deposits, landslip deposits, rockhead depth, bedrock geology
- Details of any borehole reports including any information with regard to both licenced and unlicensed abstractions
- Details of natural water table, including depth, source catchment areas and characteristics
- Details of potential impact on any SSSI wetland site
- Details of potential impact on third parties
- Details of investigations which show that dewatering is likely to have an impact on private and public water supplies or water bodies or watercourses
- Details of mitigating measures (e.g. recharging reservoirs)
- Details of proposed methods of dewatering and proposed methods of water disposal
- Details of proposed measures to control potential pollution to protect ground and surface water
- Details of any necessary drainage and flood control measures and proposed monitoring measures, including any requirements for the provision of settlement lagoons
- Details of how surface water is to be disposed of, the avoidance of impairing drainage from adjoining areas and the prevention of material entering open watercourses

References

[Planning Practice Guidance – Water supply, wastewater and water quality](#)

[British Geological Survey website](#)

Land Contamination Assessment

Required by Policy S10 (Protecting and enhancing the environment and local amenity) and Policy DM1 (Development Management Criteria) of the [Minerals Local Plan](#)

Required for all applications where contaminated land or buildings/structures are known or suspected to exist

The Assessment should include:

- A Preliminary Risk Assessment which includes information about the site and contamination and a conceptual model identifying pollutant sources, pathways and receptors and options for remediation.
- A Generic Quantitative Risk Assessment which includes a site investigation and desk study, refinement of the conceptual model and conclusions and next steps.

References

[NPPF](#) – Section 15 (Conserving and enhancing the natural environment)

[Planning Practice Guidance](#) – Land affected by contamination

Register of contaminated land held by District/Borough/City Councils in Essex

Landscape Visual Impact Assessment

Required by Policy S10 (Protecting and enhancing the environment and local amenity) and Policy DM1 (Development Management Criteria) of the [Minerals Local Plan](#)

Required for any proposal that due to its size, scale or location may have a significant visual impact upon the surrounding landscape.

The Assessment should include:

- An evaluation of the landscape character and the potential impact the proposed development may have upon it.
- Details of visual receptors (e.g. public rights of way, public open spaces, residential properties, other sensitive locations) should be included together with other important features and views.
- Details of relevant Landscape Character Assessments
- Proposed mitigation measures (Screening, landscaping, design etc)

References

[The Essex Landscape Character Assessment 2003](#)

[Landscape Character Assessment of the Essex Coast](#)

[Guidelines for Landscape and Visual Impact Assessment \(3rd edition\) 2011](#)

[Planning Practice Guidance](#) – Natural Environment

[Essex Design Guide](#)

[NPPF](#) - Section 15 (Conserving and enhancing the natural environment)

Landscape Scheme

Required by Policy S10 (Protecting and enhancing the environment and local amenity) and Policy DM1 (Development Management Criteria) of the [Minerals Local Plan](#)

Required for all applications where new or replacement landscaping is proposed

The scheme should include:

- Details of any existing trees and hedgerows on the site
- Details of any trees or hedgerows to be retained and measures for their protection during the period of works/construction
- Details of areas to be planted with species, sizes, spacing, protection and programme for implementation
- Details of maintenance and management of the scheme
- Details of hard landscaping (e.g. paving, fencing, retaining walls etc.) including materials, colours etc

References

[NPPF](#) – Section 15 (Conserving and enhancing the natural environment) and Section 17 (Facilitating the sustainable use of minerals)

[Planning Practice Guidance](#) – Natural environment

[Essex Design Guide](#)

Lighting Scheme

Required by Policy S10 (Protecting and enhancing the environment and local amenity) and Policy DM1 (Development Management Criteria) of the [Minerals Local Plan](#)

Required for all proposals where external lighting is proposed

The scheme should include:

- Details of the location, height, design, luminance and operation
- Overview of lighting design including maintenance factor and lighting standard applied
- Justification for the proposed lighting design
- Lighting drawing showing lux levels on the ground, angles of tilt and average lux (minimum and uniformity) for all proposed lighting
- Contour plan detailing likely spill light from proposed lighting, in context of adjacent site levels
- Identify area/features on site particularly sensitive for bats and those likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory (e.g. foraging)
- Details of how and where external lighting would be installed through provision of appropriate lighting contour plans and technical specification to demonstrate that areas to be lit will not disturb or prevent bats using their territory or having access to breeding sites and resting places
- Details of proposed hours of operation

References

[NPPF](#) – Section 12 (Achieving well-designed places) and Section 15 (Conserving and enhancing the natural environment)

[Planning Practice Guidance](#) – Light Pollution

Noise Impact Assessment

Required by Policy S10 (Protecting and enhancing the environment and local amenity) and Policy DM1 (Development Management Criteria) of the [Minerals Local Plan](#)

Required for all applications which may have a potential noise impact and for development considered to be noise sensitive or development within a noise sensitive area

The Assessment should include:

- Relevant existing background noise levels
- Indicative noise levels from the proposed development including likely sources of noise (e.g. machinery)
- Potential impact on neighbouring properties (particularly noise sensitive properties) including noise from the proposed development
- Details of traffic movements associated with the proposed development
- Details of proposed mitigation measures

References

[NPPF](#) – Section 15 (Conserving and enhancing the natural environment) and Section 17 (Facilitating the sustainable use of minerals)

[Planning Practice Guidance](#) – Noise

[Noise Policy Statement for England](#)

Open Space Assessment

Required by Policy S10 (Protecting and enhancing the environment and local amenity) and Policy DM1 (Development Management Criteria) of the [Minerals Local Plan](#)

Required for applications which involve the loss of or prejudice the use of open spaces or a playing field

The assessment should include:

- Justification for the proposed development
- An assessment demonstrating that the land is surplus to requirements
- Evidence that the open space would be replaced by equivalent or better provision, in terms of quantity and quality in a suitable location
- Demonstrate how the loss of land is outweighed by the proposed development

References

[NPPF](#) – Section 8 (Promoting healthy and safe communities)

[Planning Practice Guidance](#) – Open space, sports and recreation facilities, public rights of way and local green spaces

[Essex Design Guide](#)

Parking Provision

Required by Policy S10 (Protecting and enhancing the environment and local environment) and Policy DM1 (Development Management Criteria) of the [Minerals Local Plan](#) and Policy DM8 (Vehicle Parking) of the [ECC Highways Development Management Policies](#)

Required for all applications providing new and additional parking facilities or proposals which would result in the loss of existing parking provision

- Details of existing and proposed parking provision is required. This includes car parking spaces (including disabled), cycle parking, powered two wheeler parking and electric vehicle parking provision
- Permanent access arrangements for vehicles and pedestrians
- Temporary arrangements for vehicles and pedestrians during construction
- Need for visibility splays

References

[NPPF](#) – Section 9 (Promoting sustainable transport)

[EPOA Parking Standards Design and Good Practice Document September 2009](#)

[Essex Design Guide](#)

Phasing plans/Proposed Scheme of Working

Required by Policy S12 (Mineral Site Restoration and After-Use) of the [Minerals Local Plan](#)

Required for all applications where operations are proposed in a phased manner

- Limits of extraction and/or landfilling
- Identification of trees to be retained or removed
- Positions for storage for topsoil, subsoil, overburden
- Proposals for site screening e.g. soil bunds, advance planting
- Location of plant/buildings and ancillary structures/plant e.g. weighbridge, wheel cleaning, sheeting bays
- Direction of working, phasing of extraction and restoration
- Location of internal haul routes
- Location of site drainage and discharge arrangements
- Location of landfill gas control infrastructure where relevant
- Location of any landfill leachate control where relevant
- The proposed diverted position of overhead or underground infrastructure affected by the development
- Identification and management of soil types where the site includes land of the 'best and most versatile' agricultural category including the arrangements for removing and replacing soils stripped from the site and the phasing of soil movement.

References

[NPPF](#) – Section 17 (Facilitating the sustainable use of minerals)

Public Rights of Way (PRoW)

Required by [Circular 01/09 – Rights of Way Circular June 2011](#) and Policy S10 (Protecting and enhancing the environment and local amenity) and Policy DM1 (Development Management Criteria) of the [Minerals Local Plan](#)

Required for all proposals requiring any diversions/extinguishments of existing PRoWs and the creation of a public right of way

Required for any development which requires the temporary closure of a PRoW for health and safety reasons during the construction of the development

- A drawing showing all PRoWs crossing or adjoining the site should be submitted
- Explanation as to how the proposed development would impact on the PRoWs together with any proposed mitigation measures

References

[Planning Practice Guidance](#) – Open space, sports and recreation facilities, public rights of way and local green space

[NPPF](#) - Section 8 (Promoting healthy and safe communities)

Restoration and Aftercare

Required by Policy S12 (Mineral and Site Restoration and After-use) of the [Minerals Local Plan](#)

Required for all proposals which involve the disturbance of the ground for the extraction of mineral or waste disposal except for applications seeking to vary/remove a condition which has no impact on the final restoration/aftercare of the site.

A restoration strategy is required to ensure that minerals and waste disposal operations do not have unacceptable impacts upon the natural and/or historic environment, and that restoration is carried out at the earliest opportunity to a suitable after use that conserves and enhances local landscape character and visual amenity and is of a high environmental standard.

Restoration

The restoration strategy should demonstrate the approach to restoration and include details regarding the phasing and direction of working and progressive restoration.

For each working phase, site layout plans should show the location of enabling infrastructure (e.g. site access, offices, welfare facilities, car parking, haul roads, plant etc.), temporary and permanent mitigation measures (e.g. advanced planting, retained planting, protection measures, bunds and boundary treatments etc.) and the location of voids, stockpiles and waste materials.

Cross sections should be provided to show the relative height of the above aspects within the wider site context.

The strategy should include details of the proposed restoration materials and soils (overburden and/or importation of infill material) and the final landform.

Plans showing existing and proposed ground levels and gradients (where high settlement rates are expected, pre and post settlement contours may be required)

A landscape scheme should be provided showing the proposed land use (e.g. agriculture, geodiversity, biodiversity, native woodland, historic environment, recreation). This should show site access and vehicular/pedestrian routes and public rights of way, retained and proposed landscape features (including water/drainage features).

If the proposal affects agricultural land a statement of the existing and proposed Agricultural Land Classification is required demonstrating that the site can be restored satisfactorily.

Aftercare

The aftercare end use of the site can be agriculture, nature conservation, forestry, amenity (informal recreation or sport) or other purposes. If the proposed after-use is 'other purposes' the intended use must be stated. If a combined after-use is proposed a plan should be provided showing each proposed after-use and the area in hectares.

Details of a Management Plan (if the aftercare period is beyond 5 years) should be submitted.

Management/Enhancement

- Details of the enhancement measures and the positive contribution the site makes to biodiversity, can be provided on other land within the applicant's control
- Details of interim measures that can be undertaken whilst awaiting final restoration

References

[NPPF](#) - Section 15 (Conserving and enhancing the natural environment) and Section 17 (Facilitating the sustainable use of minerals)

Soil Assessment

Required by Policy DM1 (Development Management Criteria) of the [Minerals Local Plan](#)

Required for applications which involve major development on agricultural land, where significant quantities of soil are required to be removed and/or a significant area of agricultural land would be lost as a result of the proposed development

The assessment should include:

- Details of the degree to which soils would be disturbed/harmed as part of the proposed development and whether 'best and most versatile' agricultural land is involved
- Soil surveys on 'best and most versatile agricultural land of Grades 1, 2, or 3a. Surveys will be required to establish the quality of the soil resource which would be affected by the proposed development where the land grade is unknown.
- The agricultural land classification and soil survey should be at a detailed level supported by borehole data
- Details of how potential adverse impacts on the soils could be mitigated

References

[NPPF](#) - Section 15 (Conserving and enhancing the natural environment) and Section 17 (Facilitating the sustainable use of minerals)

Soils Management and Handling Strategy

Required by Policy DM1 (Development Management Criteria) of the [Minerals Local Plan](#)

Required for applications where significant development of agricultural land is involved

The Strategy should include:

- Comprehensive assessment of existing soils including a detailed soil survey to identify soil types, profiles and depths
- Details to demonstrate how the proposal will undertake any soil operations including stripping, storage and replacement

References

[Good Practice Guide for Handling Soils in Mineral Workings](#) – Institute of Quarrying

[NPPF](#) – Section 17 (Facilitating the sustainable use of minerals)

Sustainable Drainage Systems (SuDs)

Required under [Schedule 3 of the Flood and Water Management Act 2010](#) and [NPPF](#) - Section 14 (Meeting the challenge of climate change, flooding and coastal change) and Policy S3 (Climate Change) of the [Minerals Local Plan](#)

Required for major development²⁰

Information required includes:

An assessment of suitability for infiltration based on soil types and geology, which should account for:

- a) The presence of constraints that must be considered prior to planning infiltration SuDs
- b) The drainage potential of the ground
- c) Potential for ground instability when water is infiltrated
- d) Potential for deterioration in groundwater quality as a result of infiltration

Evidence of infiltration tests, particularly at the location of an intended infiltration device and groundwater level monitoring is also required.

Detailed Drainage Plan identifying:

- a) The proposed 'management train' and total land-take
- b) Location and type of source control
- c) Site controls with storage locations
- d) Conveyance and exceedance flow rates
- e) Destination of runoff and any runoff rates restrictions

Detailed SuDs Design Statement covering:

- a) Final SuDs to be incorporated and final discharge points (where relevant)
- b) How drainage design satisfies SuDs techniques in terms of water quality and attenuation and discharge quality for the lifetime of the development
- c) Proposals, where relevant, for integrating the drainage system into the landscape or required publicly accessible open space and providing habitat and social enhancement
- d) Calculations showing the pre-and post-development peak runoff flow rate for the critical rainfall event
- e) Description of overland flow routes and safeguarding of properties from flooding
- f) Management of health and safety risk in relation to feature design
- g) The process for information delivery and community engagement to relevant stakeholders
- h) System valuation (including capital costs, operation and maintenance costs, cost contributions) and a demonstration of long-term economic viability

²⁰ Additional floorspace of 1,000m² or more or a site of 1 hectare or more, or as otherwise provided in the Town and Country Planning (Development Management Procedure) (England) Order 2015

- i) Provision of drainage for large storm events, including protection for SuDs systems
- j) Preferred point of connection
- k) Proposed method of flow control
- l) Reason for changes to any previously submitted drainage scheme

Method Statement detailing how surface water arising during construction would be handled

Confirmation of land ownership for all land required for drainage and relevant permissions

SuDs Management Plan, which provides:

- Details of the body responsible for different elements of the Surface Water Drainage System and maintenance for individual aspects of the drainage proposals
- A management statement to outline the management goals for the site and required maintenance
- Description of maintenance schedule
- A site plan including access points, easements and outfalls

Foul drainage proposals

Required for major developments, a plan which shows the allocation of volume storage and discharge rate given to that plot as part of a wider SuDs strategy.

References

[Essex Design Guide](#)

[Essex Sustainable Drainage Systems Design Guide February 2020](#)

[CIRIA SuDs Manual](#)

Transport Assessment/Statement

Required by Policy S11 (Access and Transportation) and Policy DM1 (Development Management Criteria) of the [Minerals Local Plan](#) and Policy DM13 (Transport Assessments) of the [ECC Highways Development Management Policies](#)

A Transport Assessment is required for major development where the traffic or person trip is significant in both volume and area of impact

A Transport Statement is required for smaller scale developments that would not have a major impact on the transport network but are still likely to have an impact at local level on the immediate transport network.

The scope and level of detail in a Transport Assessment/Statement will vary from site to site but the following should be included:

- Description of the proposed development, site layout (particularly proposed transport access and layout across all modes of transport)
- Details about neighbouring uses, amenity and character, existing functional classification of the nearby road network
- Details of existing public transport provision, including provision/frequency of services and proposed public transport changes
- A qualitative and quantitative description of the travel characteristics of the proposed development including movements across all modes of transport that would result from the development and in the vicinity of the site
- An assessment of trips from all directly relevant committed development in the area (e.g. development where there is a reasonable degree of certainty will proceed within the next 3 years)
- Details of current traffic flows on links and at junctions (including by different modes of transport and the volume and type of vehicles) within the study area and identification of critical links and junctions on the highway network
- An analysis of the injury accident records on the public highway in the vicinity of the site access for the most recent 3 year period or 5 year period if the proposed site has been identified as being within a high accident area
- An assessment of the likely associated environmental impacts of transport related to the development, particularly in relation to proximity to environmentally sensitive areas (such as air quality management areas or noise sensitive areas)
- Details of measures to improve the accessibility of the location (such as provision/enhancement of nearby footpath and cycle path linkages) where these are necessary to make the development acceptable in planning terms
- A description of parking facilities in the area and the parking strategy of the development
- Ways of encouraging environmental sustainability by reducing the need to travel
- Details of measures to mitigate the residual impacts of development (such as improvements to the public transport network, introducing walking and cycling facilities, physical improvements to existing roads)

Assessments should be based on normal traffic flow and usage conditions (e.g. non-school holiday periods, typical weather conditions) but it may be necessary to consider the implications for any regular peak traffic and usage periods (such as rush hours). Projections should use local traffic forecasts such as TEMPRO drawing where necessary on National Road Traffic Forecasts for traffic data.

References

[NPPF](#) – Section 9 (Promoting sustainable transport)

[Planning Practice Guidance](#) – Travel Plans, transport assessments and statements in decision making

Travel Plan

Required by Policy 10 (Protecting and enhancing the environment and local amenity) of the [Minerals Local Plan](#).

Required for all non-residential development proposals with 50 or more employees or where there will be a significant impact on the local road network, due to the development; or where existing transport infrastructure, congestion or pollution problems occur.

A Travel Plan should identify the specified required outcomes, targets and measures and set out clear monitoring and management arrangement all of which should be proportionate.

It should also consider what additional measures may be required to offset unacceptable impacts if the targets should not be met.

A Travel Plan should set explicit outcomes rather than just identify processes to be followed. It should address all journeys resulting from a proposed development by anyone who may need to visit or stay and it should seek to fit in with wider strategies for transport in the area.

It should evaluate and consider:

- Benchmark travel data including trip generation databases
- Information concerning the nature of the proposed development and the forecast level of trips by all modes of transport likely to be associated with the development
- Relevant information about existing travel habits in the surrounding area
- Proposals to reduce the need for travel to and from the site via all modes of transport; and
- Provision of improved public transport services
- Parking strategy options (if appropriate) and the need to avoid unfairly penalising motorists.
- Proposals to enhance the use of existing, new and improved public transport services and facilities or cycling and walking both by users of the development and by the wider community.

References

[NPPF](#) – Section 9 (Promoting Sustainable Transport)

[Planning Practice Guidance](#) – Travel plans, transport assessments and statements in decision making

Tree Survey, Arboricultural Impact Assessment (AIA) and Arboricultural Method Statement

Required by Policy S10 (Protecting and enhancing the environment and local amenity) and Policy DM1 (Development Management Criteria) of the [Minerals Local Plan](#)

Required for all applications where there are any trees within the application site, on land adjacent to the application site or which could be influenced or affected by the development (including street trees).

The Tree Survey, Arboricultural Impact Assessment and Arboricultural Method Statement should be undertaken by a suitably qualified person in accordance with the provision of BS5837.

Tree Survey

The Tree Survey should include:

- Tree survey plan showing the location of all trees referred to
- Schedule accompanying the plan, identifying the trees by reference to a unique reference number marked on the plan and on the tree

For each tree the following should be recorded:

- Reference of the tree
- Species by common name and/or scientific name
- Presence of Tree Protection Order (TPO) or Conservation Area protection
- Height in metres
- Stem diameter in centimetres, measured 1.5m above ground level
- The branch spread in metres
- Age class: young, semi-mature, mature, over-mature or veteran
- Physiological condition and structural condition of the tree (health and any physical defects)
- Preliminary management recommendations
- Estimation of the tree's remaining useful life in years
- Categorisation of trees for removal and those suitable for retention, based on consideration of the above, in accordance with Table 1 of the British Standards

A Tree Constraints Plan showing:

- Accurate position and existing crown spread
- Tree Quality Assessment category (A, B, C or U)
- Root Protection Area (RPA) calculated from table 2 of the British Standards
- Future growth potential (ultimate crown spread and height)
- Shade footprint through the main part of the day based on ultimate tree size

The Tree Constraints Plan should be prepared at an early stage and inform site layout design.

Arboricultural Impact Assessment

Type of tree survey that considers how the proposed development and associated trees will co-exist and interact in the present and future.

An AIA is required where proposed development could potentially affect trees.

An AIA should include:

- Details of tree root protection areas (RPAs) which should be clearly marked on a scale plan
- Details of proposed changes to site levels
- Details of proposed changes to surfacing
- Details of locations for the layout of services
- Details of demolition of existing buildings and removal of existing hardstanding
- Details of exposure due to tree and structure removal
- Details of sunlight and shading
- Details of site access and site layout during construction
- Details of allocation of a suitable area for plant and material storage
- Details of proposed new /replacement tree planting

Arboricultural Method Statement

Details of how the proposed development will be undertaken without causing damage to trees on site.

Details of how the proposed development/works would be managed and how trees would be adequately protected during the development/works.

Should contain a timetable indicating when and how specific works adjacent to trees would be undertaken. The works include (but are not limited to) installation of protective fencing, hand excavation within tree protection zones and use of boarding to avoid compaction.

Specification sheets should be included for protective fencing, special surfaces, methods of trenching etc.

Site supervision by an arboricultural consultant or County's Arboricultural Officer may be stipulated for some or all of the development/works identified as requiring an AMS.

The AMS should include:

- Schedule of tree surgery works (prior to and upon completion of the construction works)

- Details of Tree Root Protection zones (clearly indicated on a scale plan, including details of fencing and signage)
- Details of surface changes and methods of construction
- Details of level changes and methods of construction
- Details of trenching methods
- Details of locations of bonfires, chemical storage etc
- Contingency plan (chemical spillage, collision, emergency access to root protection zones)
- Post construction landscaping close to existing trees (methods, locations, scale plans)
- Details of tree planting (storage of trees, site preparation)
- Contact listing (Planning Authority, Arboricultural Consultant, Architect, Site Manager)
- Copies of all relevant site plans and tree survey schedule

References

[NPPF](#) – Section 15 (Conserving and enhancing the natural environment)

[Planning Practice Guidance](#) – Natural Environment

BS5837:2012 Trees in relation to design, demolition and construction

[Planning Practice Guidance](#) – Tree Preservation Orders and tree in conservation areas

[Essex Design Guide](#)