

National and Local List of Planning Application Requirements



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ROTHER DISTRICT COUNCIL - STRATEGY AND PLANNING

IMPORTANT ADVICE ON POLICY CHANGES AFFECTING NEW DEVELOPMENT

While not yet formally part of the development plan (and hence not part of the current validation requirements), applicants are advised that significant policy changes are being proposed through the Council's Development and Site Allocations Local Plan Proposed Submission – October 2018.

The document is available at <http://www.rother.gov.uk/dasa>. The specific Development Policies are listed in the Plan at page 17 and, amongst other matters, include the Council's intention to introduce new standards for water efficiency, residential internal space and in relation to accessible and adaptable homes, as well as a requirement for self-build units on larger housing schemes.

Having regard to paragraph 48 of the National Planning Policy Framework all the policies of the plan will carry weight in decision-making on new applications as the Plan progresses.

Introduction

The statutory requirements for a valid planning application comprise:

- The mandatory national information requirements as specified in the GDPO¹
- The standard application form
- Information specified by the Local Planning Authority on their local list of information requirements

Additionally, for applications for Listed Building Consent need to comprise the mandatory requirements specified in sections 10 and 11 of the Planning (Listed Building and Conservation Areas) Act 1990

This document specifies the full lists of information which Rother District Council as the Local Planning Authority requires to accompany applications, and is divided into two sections:

SECTION 1: NATIONAL LIST OF PLANNING APPLICATION REQUIREMENTS

SECTION 2: LOCAL LIST OF PLANNING APPLICATION REQUIREMENTS

Annex A: Detailed advice regarding each local list item

These requirements have been prepared having regard to Article 11 of the Town and Country Planning (General Management Procedure) Order 2015 and Section 6 of the Growth and Infrastructure Act 2013 which amends Section 62 of the Town and Country Planning Act 1990, to the effect that, in particular, any requirement for information must be reasonable having regard, in particular, to the nature and scale of the proposed development. Thus all applications received by Rother District Council will be considered on their own merits.

¹ Town And Country Planning (Development Management Procedure) (England) Order 2015

PLEASE READ THESE NOTES FIRST:

INFORMATION REQUIRED: You should review carefully these two lists before you submit your planning application. The sections explain for what types of application individual pieces of information are required. Annex A gives more detailed advice on the content required for each local list item.

ACCURACY OF DRAWINGS SUBMITTED: There is no obligation for an applicant to employ a professional agent . However this will often be desirable, as where technical drawings are required it will only be possible to register and consider applications accompanied by relevant plans that are clearly drawn and to a scale or dimensioned. In this respect all submitted plans must be understandable for members of the public viewing a planning application and, as a planning permission is a legal document, the plans must clearly relate to and describe the proposal.

PLANNING PORTAL: When submitting applications via the Planning Portal, please ensure that each individual plan is separately and correctly annotated.

PAPER COPIES: While submission via the Planning Portal is encouraged for all applications, it can assist in the speedy processing of your application if (at the present time) you can forward one paper copy of the application plans direct to the Council. For all Major applications one hard copy of all plans and documents will be required *before* Validation.

DISPUTES OVER INFORMATION SUBMITTED AND RIGHTS OF APPEAL: Where an item specified in either section is required but is not provided with an application, the application will not initially be registered as valid. However, if you believe a particular piece of information is unnecessary for your application, you should provide a short explanation to accompany your application. If the Council maintains that the information is necessary, then the application will not be registered as valid. In the case of a dispute as to the information requested by the local planning authority there is a right of appeal on the basis of non-determination of the application after the relevant statutory time period. This procedure is set out at Article 12 of the Town and Country Planning (Development Management Procedure) Order 2015

SECTION 1: NATIONAL LIST OF PLANNING APPLICATION REQUIREMENTS

National List of Planning Application Requirements	
LOCATION PLAN	<p>A „location plan“ that shows the application site in relation to the surrounding area must be submitted</p> <p>The location plan should be based on an up-to-date map. The scale should typically be 1:1250 or 1:2500, but wherever possible the plan should be scaled to fit onto A4 or A3 size paper. The location plan should identify sufficient roads and/or buildings on land adjoining the application site to ensure that the exact location of the application site is clear. (In more remote rural areas it may be necessary to identify the site with a Grid Reference if roads cannot be indicated).</p> <p>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).</p> <p>A blue line should be drawn around any other land owned by the applicant, close to or adjoining the application site.</p> <ul style="list-style-type: none">• .

STANDARD APPLICATION FORM	<p>An application must be submitted using the appropriate form.</p> <p>The standard application form for the relevant proposal can be accessed directly through the Planning Portal via www.planningportal.gov.uk or via our website at Application Forms and Guidance Notes - Rother District Council</p>
OWNERSHIP CERTIFICATES AND NOTICES	<p>The certificates form part of the standard application form.</p> <p>All applications for planning permission must include the appropriate certificate of ownership. A notice to all owners of the application site must be completed and served. An ownership certificate, A, B, C or D must be completed stating the ownership of the property. NB For this purpose 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 or working of minerals, a person entitled to an interest in a mineral in the land is also an owner.</p> <p>Where Notices C or D are necessary there is also a requirement that the application be advertised in a local newspaper.</p> <p>Notices and ownership certificates must also be completed for applications for Listed Building Consent</p>
AGRICULTURAL LAND DECLARATION	<p>These form part of the standard application form.</p> <p>All agricultural tenants on a site must be notified prior to the submission of a planning application. Applicants must certify that they have notified any agricultural tenants about their application, or that there are no agricultural tenants on the site. The certificate is required whether or not the site includes an agricultural holding. An „agricultural tenant“ is a tenant of an agricultural holding, any part of which is comprised in the land to which the application relates.</p>
THE CORRECT FEE	<p>Planning Applications incur a fee. Information can be found via the fee calculator at Planning Portal - Useful Tools and on the Council’s website here</p>

	There is no fee payable for applications for Listed Building Consent
DESIGN AND ACCESS STATEMENT	<p>PLANNING APPLICATIONS</p> <p>A Design and Access Statement is required for certain types of planning applications.</p> <ul style="list-style-type: none"> • Applications for major development, as defined in article 2 of the Town and Country Planning (Development Management Procedure (England) Order 2015; • Applications for development in a designated area, where the proposed development consists of: <ul style="list-style-type: none"> ○ one or more dwellings; or ○ a building or buildings with a floor space of 100 square metres or more. • Applications for listed building consent. <p>For the purposes of Design and Access Statements, a designated area means a World Heritage Site or a conservation area.</p> <p>Applications for waste development, a material change of use, engineering or mining operations do not need to be accompanied by a Design and Access Statement.</p> <p>Design & Access Statements must:</p> <p>(a) explain the design principles and concepts that have been applied to the proposed development; and</p> <p>(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.</p> <p>A development's context refers to the particular characteristics of the application site and its wider setting. These will be specific to the circumstances of an individual application and a Design and Access Statement should be tailored accordingly.</p> <p>Design and Access Statements must also explain the applicant's approach to access and how relevant Local Plan policies have been taken into account. They must detail any consultation undertaken in relation to access issues, and how the outcome of this</p>

consultation has informed the proposed development. Applicants must also explain how any specific issues which might affect access to the proposed development have been addressed.

Rother Council has produced [Guidance Notes](#) to explain the current statutory requirements and the Council's expectations in respect of the content of such documents and a [Pro-Forma](#) help structure Statements.

LISTED BUILDING CONSENT APPLICATIONS

Design and Access Statements are required for all applications for Listed Building Consent.

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

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

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

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

	<p>Rother Council has produced Guidance Notes to explain the current statutory requirements and the Council's expectations in respect of the content of such documents and a Pro-Forma to help structure Statements.</p>
<p>SITE PLAN, OTHER PLANS AND DRAWINGS</p>	<p>In addition to the location plan applications must be accompanied by such information, plans and drawings as is necessary to describe the development and its impact on any neighbouring property. Any plans or drawings must be drawn to an identified scale, and in the case of plans, must show the direction of north.</p> <p><i>The amount of information required will be proportionate to the development proposed.</i></p> <p><i>Scale Bar</i> <i>Although not a specific requirement of legislation, the inclusion of a linear scale bar must be provided for all electronic submissions.</i></p> <p><i>Measurements</i> <i>Drawings should NOT include statements to the effect that measurements should not be scaled from the submitted plans as the Local Planning Authority is entitled to rely on any submitted document to determine the accuracy or otherwise of any subsequent built development. Any drawing submitted in these terms must also be clearly dimensioned with accurate measurements.</i></p> <p><i>Site levels</i> <i>Planning applications will NOT be registered where drawings show a level site and this is not a true representation of actual ground conditions. This may particularly apply to computer drawn images.</i></p>

FURTHER GUIDANCE ON DRAWINGS

The following matters will be taken into account to determine whether the submitted information is sufficient in any particular case. The level of information expected will be proportionate to the type and scale of the proposal:

- **ELEVATIONS – existing and proposed**

Elevations should normally be drawn to a scale of 1:50 or 1:100, and show clearly the proposed works in relation to what already exists. All sides of the proposal must be shown, including blank elevations.

Elevations should indicate the proposed building materials and the style, materials and finish of windows and doors.

Where a proposed elevation adjoins another building or is in close proximity, the drawings should clearly show the relationship between the buildings, and detail the positions of the openings on each property.

- **FLOOR PLANS – existing and proposed**

Floor plans should normally be drawn to a scale of 1:50 or 1:100, and should explain the proposal in detail. Where existing buildings or walls are to be demolished, these should be clearly shown. The drawings submitted should show details of the existing buildings as well as the proposed development. New buildings should also be shown in context with adjacent buildings (including property numbers where applicable).

Where an application relates to change of use involving physical changes internally, the floor plans should show the existing use(s) and the extent and nature of the proposed change of use.

- **ROOF PLANS**

Roof plans are required for any proposed alteration to an existing roof, or for any new development proposing a complex or unusual roof structure.

The drawing should include details of the roofing material proposed and locations of any equipment to be installed on the roof.

- **SITE SECTIONS – existing and proposed**

Full information should be submitted to demonstrate how any new building(s) will relate in scale, height and situation to neighbouring development, both on the site and outside it. This should normally be in the form of cross-sections and/or long sections drawn at a scale of 1:100 or 1:200 to show the proposal in context with adjoining or adjacent buildings.

- **SITE LEVELS – existing and proposed**

Full information should be submitted to demonstrate how proposed development relates to existing ground levels. This may take the form of contours, spot levels or cross sections as appropriate to fully illustrate the proposal.

For proposals involving new buildings, the drawings should show the existing site levels and finished floor levels related to a fixed datum point. For householder development, this information may be evident from the elevations. On sloping sites it will be necessary to show how proposals relate to existing ground levels and how the proposal sits within the site, and the levels between the existing and proposed buildings

For all other development which involves a change in levels, e.g. excavations for ponds, lakes or swimming pools, or hard-standings, accesses, maneges, tennis courts, or for new estate roads, the drawings should show sufficient information to show the extent of excavation, the depositing of spoil, and the existing and finished levels.

Retrospective applications for planning permission

- Retrospective applications should clearly indicate (with drawings and/or photographs) how the site or building appeared before the unauthorised works took place, and how it appears now, together with details of the extent of works for which retrospective permission is being sought.

NOTE: Very exceptionally photographs of an existing situation or indicating the proposal may be accepted.

APPLICATIONS FOR LISTED BUILDING CONSENT

Applications for alterations for listed buildings must include such plans and drawings as are necessary to describe the proposed works, including their impact on the listed building. In addition to the plans and elevations described above, this should include:

- ❖ a description of all the works involved with plans identifying the exact part of the building to be altered including photographs showing the whole building in its setting and/or the particular section of the building affected by the proposed works.
- ❖ details of any known historic fabric that will be affected
detailed drawings at a minimum scale of 1:50 indicating proposed new or altered features such as doors, windows, staircases, fireplaces, internal mouldings, chimneystacks, timber-framing, ceiling or roof structure, and minor additions such as external pipework, meter boxes, extractor fan covers etc.
- ❖ Specifically if joinery is to be altered, the following should also be submitted:
 - Windows
Cross sections and elevation drawings of existing frames, glazing bars and cills
Cross sections and elevation drawings of proposed frames, glazing bars and cills.
Location of existing and proposed windows within the reveals
Manufacturer's details can also be provided.
 - Doors
Cross sections and elevation drawings of existing and proposed doors
Manufacturer's details can also be provided
repairs schedules/specifications where such work is proposed.
- ❖ The drawings should include the type, colour and make of all materials to be used internally and externally.

SECTION 2: LOCAL LIST OF PLANNING APPLICATION REQUIREMENTS – ROTHER DISTRICT COUNCIL

Local List of Planning Application Requirements (detailed advice about each local list item is given in Annex A)		
Local List Item	Justification, including policy driver and national or local policy and Development Plan ²	Types of application that require this information
1. AFFORDABLE HOUSING STATEMENT	<ul style="list-style-type: none"> • NPPF - paras. 63, 64, 76, 77, • NPPG ▪ Local Plan Core Strategy – Policy LHN2 (and Policy DHG1 of the DaSA Proposed Submission – October 2018.) 	<ol style="list-style-type: none"> 1. Where affordable housing is required by an adopted development plan policy 2. Where the proposal includes an element of affordable housing that is to be operated by a registered provider
2. AGRICULTURAL STATEMENT	<ul style="list-style-type: none"> ▪ NPPF - para.55 ▪ Local Plan Core Strategy – Policy RA3 	<ul style="list-style-type: none"> • Any application for a new agricultural dwelling • Any application for a new agricultural enterprise in the countryside • Any application to release an agricultural occupancy condition • Any application for a new agricultural building
3. COMMUNITY INFRASTRUCTURE LEVY (CIL)	<ul style="list-style-type: none"> ▪ NPPG 	<ul style="list-style-type: none"> • All developments subject to CIL within the Rother District Council Scheme

² Rother District Local Plan adopted 2006 and the Local Plan Core Strategy adopted 2014

4. ECOLOGICAL SURVEY AND REPORT	<ul style="list-style-type: none"> • NPPF para. 175 • Local Plan Core Strategy - Policy EN5 • 06/2005 ODPM Circular • 01/2005 DEFRA Circular • Wildlife and Countryside Act 1981 (as amended) • CROW Act 2000 Conservation of Habitats and Species Regulations 2010 • Natural Environment and Rural Communities Act 2006 	<ul style="list-style-type: none"> • Any application (except for change of use and development to an existing dwelling (householder)) within a: <ul style="list-style-type: none"> ○ Site of Special Scientific Interest (SSSI) ○ Site of Nature Conservation Interest (SNCI) ○ Local Nature Reserve (LNR) ○ Special Protection Area (SPA) ○ RAMSAR site ○ Special Area of Conservation (SAC) or adjacent to any of the above where any impact is likely ○ Biodiversity Action Plan (BAP) Habitat. • Any major development outside an urban area (except for change of use of a building). • Where there is likely to be nationally or internationally protected species or their habitat, e.g. conversions of farm buildings.
5. ENERGY STATEMENT	<ul style="list-style-type: none"> • North Bexhill Masterplan SPD 	Major developments in North East Bexhill
6. ENVIRONMENTAL IMPACT ASSESSMENT	<ul style="list-style-type: none"> • Town and Country Planning (Environmental Impact Assessment) Regulations 2017 	Development falling within the 2017 Regulations (Schedules 1 and 2 type developments)
7. FLOOD RISK ASSESSMENT	<ul style="list-style-type: none"> • NPPF para.163 • Technical Guidance to the NPPF • Local Plan Core Strategy – Policy EN7 	<ul style="list-style-type: none"> • Flood Zone 1. Any application any development over 1 hectare having a critical drainage problem as notified by the Environment Agency. • Flood Zones 2, 3a and 3b. Any development, except for minor domestic extensions or works where no new residential dwelling unit is being created and the scheme involves no new bedroom space.

		See also Section 24. SUSTAINABLE DRAINAGE, below
8. FLOOD RISK SEQUENTIAL TEST EVIDENCE	<ul style="list-style-type: none"> • NPPF para.163 • Technical Guidance to the NPPF • Local Plan Core Strategy – Policy EN7 	Any relevant application within Flood Risk Zone 2, 3a and 3b
9. FLOOD RISK EXCEPTION TEST EVIDENCE	<ul style="list-style-type: none"> • NPPF para.163 • Technical Guidance to the NPPF • Local Plan Core Strategy – Policy EN7 	Any relevant application within Flood Risk Zone 2 or 3a and 3b

10. HERITAGE STATEMENT (1) Assessment of Significance for works affecting Heritage Assets	<ul style="list-style-type: none"> • NPPF para.189 • Local Plan Core Strategy – Policy EN2 	<ul style="list-style-type: none"> • Any application for planning permission affecting a designated Heritage Asset or its setting, including Conservation Areas, Listed Buildings, Scheduled Ancient Monuments, Registered Parks & Gardens, Historic Battlefields, or any application affecting a non-designated Heritage Asset, including unlisted historic structures such as traditional agricultural buildings, and Victorian and Edwardian buildings. • Any application for Listed Building Consent • Any application for Conservation Area Consent
11. HERITAGE STATEMENT (2) Archaeological Report	<ul style="list-style-type: none"> • NPPF para.189 • Local Plan Core Strategy – Policy EN2 	<ul style="list-style-type: none"> • Any application involving structural or ground works within an Archaeological Notification Area (ANA) • Any application affecting a Scheduled Ancient Monument (SAM) • Any major development (10 or more dwellings or 1,000sqm or more)

12. GROUND STABILITY ASSESSMENT	<ul style="list-style-type: none"> • NPPF para.178 • Local Plan Core Strategy – Policy OSS3 	Any application involving ground works within areas of known ground instability, including all coastal sites.
13. GYPSY & TRAVELLER STATEMENT	<ul style="list-style-type: none"> • NPPF para. 61 • Planning Policy for Traveller Sites (DCLG) 	Any application for gypsies or travellers
14. LAND CONTAMINATION ASSESSMENT	<ul style="list-style-type: none"> • NPPF para.178 • Local Plan Core Strategy – Policies OSS3 and OSS4 	Any application relating to sites where contamination is known or suspected, or the development is in the vicinity of such land, and ground works are proposed
15. LIGHTING ASSESSMENT	<ul style="list-style-type: none"> • NPPF para.180 • Local Plan Core Strategy – Policy OSS4 	Any application including or for floodlighting, or any significant amount of external lighting
16. NOISE IMPACT ASSESSMENT	<ul style="list-style-type: none"> • NPPF paras.170, 180 and 205 • Local Plan Core Strategy – Policy OSS4 	<ul style="list-style-type: none"> • All applications for plant installation • Any application for development / use that involves activities that may generate significant levels of noise adjacent to existing noise sensitive uses (e.g. residential development, schools and hospitals) • Any application for noise sensitive development (e.g. schools, hospitals and residential development (<i>excluding</i> householder development)) adjacent to major road / transport infrastructure
17. OPEN SPACE ASSESSMENT	<ul style="list-style-type: none"> • NPPF Section 8 • Local Plan (2006) – Policy CF4 	<ul style="list-style-type: none"> • Any major development proposal (10 or more dwellings or 1,000sqm or more) which involves a loss of open space <i>N.B. Open space is defined as open space of public value, including not just land, but also areas of water such as rivers, canals, lakes and reservoirs</i> • Any development that includes the loss of part or all of a playing field

18. PRE-APPLIATION ENGAGEMENT	<ul style="list-style-type: none"> • NPPF paras.39-46 	Any Major proposal in excess of 50 dwellings or 1000m2 of commercial floorspace.
19. REFUSE DISPOSAL STRATEGY	<ul style="list-style-type: none"> • Local Plan Core Strategy – Policy OSS4 	Any application resulting in the creation of one of more new dwellings
20. RETAIL ASSESSMENT – TOWN CENTRE USES	<ul style="list-style-type: none"> • NPPF para.89 • Local Plan Core Strategy – Policy EC7 • Local Plan (2006) – policies EM13, BX5, BX6. 	Any retail application comprising floor space of 500 sq m or more.
21. STRUCTURAL SURVEY	<ul style="list-style-type: none"> • NPPF para.79 • Local Plan Core Strategy – Policy RA4 	Any application to convert a traditional agricultural building.
22. SUNLIGHT DAYLIGHT ASSESSMENT	<ul style="list-style-type: none"> • Local Plan Core Strategy – Policy OSS4 	Any application where the resultant structure would be over 20m in height
23. SUSTAINABLE DRAINAGE	<ul style="list-style-type: none"> • NPPG para.165 • Local Plan Core Strategy – Policies OSS3 (viii), SRM2 (iii), EN6 and EN7 	Any major development involving surface water drainage In Fairlight Cove, any new development within or adjoining the Development Boundary – Inset Map No.14 of the Rother District Plan 2006
24. TELECOMMUNICATION INFORMATION	<ul style="list-style-type: none"> • NPPF Section 10 	Any application for telecommunications development
25. TRANSPORT ASSESSMENT(TA) OR TRANSPORT STATEMENT (TS)	<ul style="list-style-type: none"> • NPPF para.111 • Local Plan Core Strategy – Policy TR3 	A Transport Assessment or Transport Statement will be required with all major developments involving traffic generation.
26. TRAVEL PLAN	<ul style="list-style-type: none"> • NPPF para.111 • Local Plan Core Strategy – Policy TR3 	Any major application of 50 or more dwellings or 1,000sqm or more of commercial floorspace.

27. TREE SURVEY / ARBORICULTURAL STATEMENT	<ul style="list-style-type: none"> • NPPF para.170 • Local Plan Core Strategy – Policy EN1 	<p>Any application for planning permission where ancient woodland, a protected or any other significant tree, within the application site or on land adjacent to it, may be affected, directly or indirectly, by the proposals.</p> <p><i>N.B. „protected trees“ includes trees with a Tree Preservation Order (TPO) and trees in Conservation Areas which have a trunk diameter of 75cm or more measured at a point 1.5 metres or higher above ground level.</i></p> <p>or</p> <p>Any applications for consent to fell or remove a tree subject to a Tree Preservation Order</p>
28. VIABILITY AND MARKETING STATEMENT	<ul style="list-style-type: none"> • NPPF paras.76, 85 and 92 • Local Plan Core Strategy – Policies RA4, CO1 and EC3 	<ol style="list-style-type: none"> 1. Any application for a change of use which involves the loss of, or a reduction in,; <ul style="list-style-type: none"> • a community facility (including a leisure or entertainment venue, open space, public house, village shop, bank or Post Office) • a tourist facility, or • employment space 2. Any application for the conversion of an agricultural building to a residential use indicating the consideration of alternative uses.
29. VENTILATION AND EXTRACT STATEMENT	<ul style="list-style-type: none"> • Local Plan Core Strategy – Policy OSS4 	<p>Any application (including any change of use application) which includes or would necessitate the installation of extraction equipment and/or air conditioning.</p>

ANNEX A: DETAILED ADVICE REGARDING EACH LOCAL LIST ITEM

Annex A: Detailed description of local list items	
Local List Item – description of document	Where to go for further assistance
<p>1. Affordable Housing</p> <p>Having regard to the NPPF and the District Council's Development and Site Allocations Local Plan – Proposed Submission (DaSA), Policy DHG1 applies:</p> <p>Policy DHG1: Affordable Housing: On housing sites or mixed use developments, the Council will currently expect the following percentages of affordable housing within the district:</p> <ul style="list-style-type: none"> (i) In Bexhill and Hastings Fringes, 30% on-site affordable housing on schemes of 15 or more dwellings (or 0.5 hectares or more); (ii) In Rye, 30% on-site affordable housing on schemes of 10 or more dwellings (or 0.3 hectares or more); (iii) In Battle, 35% on-site affordable housing on schemes of 10 or more dwellings (or 0.3 hectares or more); (iv) In the Rural Areas: <ul style="list-style-type: none"> (a) In the n the High Weald Area of Outstanding Natural Beauty, 40% onsite affordable housing on schemes of 6 dwellings or more (or 0.2 hectares or more); or (b) Elsewhere, 40% on-site affordable housing on 	<p>Further advice can be obtained from:</p> <ul style="list-style-type: none"> • Rother District Council Housing Officers • Pre-application advice and fees

schemes of 10 or more dwellings (or 0.3 hectares or more).

SUPPORTING STATEMENT

A Supporting Statement should include the following, agreed with the Council's Housing officers:

- The mix and size of units;
- The tenure arrangements of such units;
- Any relevant care arrangements if the proposal is a supported affordable housing scheme;
- The involvement of a Registered Provider
- Details on any consultation with Parish or Town Council or local community.

VIABILITY STATEMENT

Where affordable housing is not included in the proposal or an application is made to vary a planning obligation in respect of the affordable housing requirement and where the absence or reduction in affordable housing is argued on viability grounds, a full justification must be provided in line with the government's recommended approach set out national Planning Practice Guidance. Paragraph's: 010-019 Reference ID: 10-010-20180724

APPLICANTS WILL BE REQUIRED, PRIOR TO THE APPLICATION BEING CONSIDERED, TO PAY FOR AN INDEPENDENT ASSESSMENT OF ANY VIABILITY STATEMENT BY THE DISTRICT VALUATION SERVICE (DVS).

VIABILITY STATEMENTS WILL BE MADE PUBLICLY AVAILABLE having regard to Para.: 021 Reference ID 10-021-20180724 of the National Planning Practice Guidance.

Financial Viability in Planning RICS 1st Edition 2012

<http://planningguidance.planningportal.gov.uk/blog/guidance/viability-guidance/viability-a-general-overview/>

<p>2. Agricultural Statement</p> <p>a) Proposals for new agricultural dwellings or new enterprises outside of the defined development boundaries in the Local Plan must be accompanied by a statement addressing the need and rationale for the proposal having regard to national and local restrictions on new development in the countryside.</p> <p>Applicants for new dwellings in the countryside will be expected to demonstrate a functional need establishing that it is essential for the proper functioning of the enterprise for one or more full time workers to be readily available at most times on the holding, and that this functional need cannot be fulfilled by other existing accommodation in the area.</p> <p>In addition, new permanent accommodation will need to be fully justified on financial grounds and information must be submitted in support of any new application as to the economic viability of the holding, including accounts, business plan, and extent of land associated with the holding.</p> <p>b) Any proposal to remove an agricultural occupancy condition shall provide:</p> <ul style="list-style-type: none"> • Evidence of the property having been marketed for at least 12 months with at least one relevant commercial agent, including the price, terms of sale (including extent of land), the duration and means of advertising, and, in addition, • an Agricultural Community Survey addressing the need for agricultural dwellings in the area. <p>c) Proposals for new agricultural buildings should</p>	<p>Although previous advice contained in the former PPS7, Annex A, has now been withdrawn, that advice relating to functional and financial tests remains a practical approach to accompany planning applications.</p>
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<p>include information concerning the holding including, the size of the holding and the farming activities undertaken, and an explanation of the need for the new building.</p>	
<p>3. Community infrastructure Levy (CIL) Where a development falls within the Rother District Council Charging Schedule the Additional CIL Information form must be submitted with the application.</p>	<p>Local information can be found at: http://www.rother.gov.uk/CIL setting out the requirement in Rother.</p> <p>Further information can be found in the national Planning Practice Guidance at: http://planningguidance.communities.gov.uk/blog/guidance/community-infrastructure-levy/</p> <p>and on the Planning Portal. The required form can be found at: http://www.planningportal.gov.uk/uploads/1app/forms/cil_questions.pdf</p>
<p>4. Ecological Survey and Report Where a proposed development is situated within, or is likely to affect a designated site or priority habitat e.g. ancient woodland, a survey and assessment must be submitted with the application.</p> <p>When there is a reasonable likelihood of protected or priority species being present and affected on a site an ecological phase 1/scoping report should be submitted with the application. Where this survey identifies that further survey work is required this should be undertaken and the relevant reports submitted with the application to avoid delays in the application process. (Applicants are particularly referred to para.. 99 of ODPM Circular 06/2005 Biodiversity and Geological Conservation – Statutory obligations and their impact within the planning system.)</p> <p>If protected or priority species or habitats are found to be</p>	<p>Further information can be found at</p> <ul style="list-style-type: none"> • National Planning Policy Framework, paras. 118-122 • NPPG https://www.gov.uk/guidance/natural-environment • ODPM Circular 06/2005 Biodiversity and Geological Conservation – Statutory obligations and their impact within the planning system • Wildlife and Countryside Act 1981 • The Protection of Badgers Act 1992 • Natural Environment and Rural Communities Act 2006 • Bats, Buildings and Barn Owls: A guide to safeguarding protected species when renovating traditional buildings <i>DEFRA</i> • Bats in Traditional Buildings <i>English Heritage / Natural England</i> • Sussex Wildlife Trust • Natural England • Natural England Standing Advice • Biodiversity and Geological Conservation –Statutory obligations and their impact within the planning system (ODPM Circular 06/2005)

<p>present, the authority must be satisfied that any detrimental effects can be avoided, mitigated or compensated for before planning permission can be granted, therefore such mitigation, avoidance and/or compensatory measures must be proposed in the application.</p> <p>The survey work should be carried out by a suitably qualified ecological consultant and be in accordance with the methodology set out in latest survey standards and Natural England's Standing Advice for local authorities (see right), including being carried out at appropriate times of the year.</p> <p>Where European Protected Species are present and an offence would be committed under the Conservation of Habitats and Species Regulations 2010 without a licence from Natural England information on how the three derogation tests should be met. Please note that in some cases underpinning data may also be required to inform a Habitats Regulations Assessment.</p> <p>NOTE: If information is being provided in relation to badger setts this information should be provided in a separate document and marked as 'CONFIDENTIAL'.</p>	<ul style="list-style-type: none"> • IEEM Survey Methods • Planning for Biodiversity and Geological Conservation: A Guide to Good Practice. • A useful source of information is the Sussex Biodiversity Records Centre and the Sussex Biodiversity Action Plan
<p>5. Energy Statement</p> <p>The energy strategy should set out how overall energy use will be minimised and if appropriate how low and zero carbon energy sources are used.</p>	<p>Guidance on this matter can be obtained from:</p> <ul style="list-style-type: none"> • National Planning Policy Framework, paragraphs 93-98 • http://www.rother.gov.uk/CHttpHandler.ashx?id=10622&p=0 – A review of potential sustainable energy measures
<p>6. Environmental Impact Assessment (EIA)</p> <p>Where an EIA is required, Schedule 4 to the regulations sets out the information that should be included in an Environmental Statement (ES).</p>	<p>Refer to: http://www.legislation.gov.uk/ukxi/2017/571/contents/made</p>

<p>A „screening opinion“ (i.e. to determine whether EIA is required) and a “scoping opinion” (scope of the ES) may be requested prior to submitting a planning application.</p> <p>N.B. In cases, where a full EIA is not required, we may still require particular environmental information to be provided as otherwise provided for in this list of requirements.</p>	
<p>7. Flood Risk Assessment</p> <p>The Environment Agency provides useful advice on their website which explains what information a flood risk assessment should contain. A matrix is also provided which explains when a flood risk assessment is required. The assessment should address the issue of flood risk to both property and people. It should identify and assess the risks of all forms of flooding to and from the development and demonstrate how these flood risks will be managed, taking climate change into account. The assessment should identify opportunities to reduce the probability and consequences of flooding, and should include the design of surface water management systems including Sustainable Drainage Systems (SUDs) and address the requirement for safe access to and from the development in areas at risk of flooding. (see Section 24 Sustainable Drainage - below)</p>	<p>Guidance on this matter can also be obtained from:</p> <ul style="list-style-type: none"> • Strategic Flood Risk Assessment • Guide for Developers • Planning and Flood Risk – Standing Advice: https://www.gov.uk/guidance/flood-risk-and-coastal-change • Preparing a Flood Risk Assessment https://www.gov.uk/check-flood-risk • Information on Sustainable Urban Drainage Systems (SUDS) or contact watercourse.consenting@eastsussex.gov.uk - Flood Risk Management Officer, East Sussex County Council
<p>8. Flood Risk Sequential Test Evidence</p> <p>This statement should include evidence to demonstrate that a sequential approach to site selection has been undertaken as required by the Technical Guidance to the NPPF.</p>	<p>Guidance on this matter can also be obtained from the</p> <ul style="list-style-type: none"> • Rother District Council’s Strategic Flood Risk Assessment • National Planning Policy Framework Technical Guidance https://www.gov.uk/guidance/flood-risk-and-coastal-change

<p>9. Flood Risk Exception Test Evidence This statement should include evidence to demonstrate that the Exceptions Test has been applied as required by the Technical Guidance to the NPPF.</p>	<p>Guidance on this matter can be obtained from:</p> <ul style="list-style-type: none"> • Rother District Council's Strategic Flood Risk Assessment • National Planning Policy Framework Technical Guidance_ https://www.gov.uk/guidance/flood-risk-and-coastal-change
<p>10. Heritage Statement (1) Assessment of Significance for works affecting Heritage Assets An Assessment of Significance will need to contain a description of the historic, cultural, aesthetic and archaeological significance of those heritage assets affected by the proposal, and the contribution of their setting to that significance.</p> <p>Rother Council has produced Assessment of Significance Guidance Notes and a pro forma to be used as a starting point for submissions, though additional information can also be submitted.</p> <p><i>N.B. The term „Heritage Assets“ includes designated assets such as Listed Buildings, Conservation Areas, Scheduled Ancient Monuments, Historic Parks, Gardens and Battlefields, as well as non-designated sites and buildings that the Local Authority considers to be of historic interest, including for example non-listed oast-houses, barns and other farm buildings, chapels, gatehouses, bridges, mills, and Victorian villas. If you are unsure, contact the planning department for advice prior to making an application.</i></p>	<p>Guidance on this matter can be obtained from:</p> <ul style="list-style-type: none"> • National Planning Policy Framework, paragraphs 128, 131-136. • Rother Online Mapping - Conservation Areas in Rother • Rother District Council information on Conservation and Design • Assessment of Significance Guidance Notes and Pro-forma • The County Archaeologist or HER Manager at East Sussex County Council County.HER@eastsussex.gov.uk
<p>11. Heritage Statement (2) Archaeological Report An Archaeological Report may form part of the Assessment of Significance (see 9 above). As a minimum</p>	<p>Guidance on this matter can be obtained from:</p> <ul style="list-style-type: none"> • National Planning Policy Framework, paragraphs 128, 131-136 and NPPG_ http://planningguidance.communities.gov.uk/blog/guidance/conservin

<p>the relevant Historic Environment Record (HER) should be consulted and an HER consultation report submitted where required.</p> <p>For development or works likely to have significant effects a Desk-based Assessment (DBA) and/or the results of field evaluation may be required.</p>	<p>g-and-enhancing-the-historic-environment/consultation-and-notification-requirements-for-heritage-related-applications/ https://www.eastsussex.gov.uk/environment/archaeology/her/</p> <ul style="list-style-type: none"> • ESCC Archaeological Notification Areas • Rother District Council information on Conservation and Design • Assessment of Significance Guidance Notes and Pro-forma <p><i>CONTACT</i></p> <ul style="list-style-type: none"> • The County Archaeologist or HER Manager at East Sussex County Council County.HER@eastsussex.gov.uk
<p>12. Ground Stability Statement In areas of known or suspected ground stability planning applications must include information from a Competent Person (as defined by the NPPF Annex 2 Glossary) relating to construction and drainage methods.</p>	<p>Guidance on this matter can be obtained from:</p> <ul style="list-style-type: none"> • NPPG https://www.gov.uk/guidance/land-stability
<p>13. Gypsy and Traveller information For any application information relating to the following must be provided:</p> <ol style="list-style-type: none"> Whether they (the Gypsy or Traveller) has previously led a nomadic habit of life (or still does) The reasons for ceasing their nomadic habit of life (assuming it has ceased) Whether there is an intention of living a nomadic habit of life in the future, and if so, how soon and in what circumstances 	
<p>14. Land Contamination Assessment A report from a Competent Person (as defined by the NPPF Annex 2 Glossary) to determine the existence of contaminated land, its nature and the risks it may pose to the proposed development and whether remedial measures are feasible to satisfactorily reduce the</p>	<p>Guidance on this matter can be obtained from:</p> <ul style="list-style-type: none"> • Environmental Health Services and Licensing, Rother District Council • The Environment Agency (including Model Procedures CLR11) • NPPG https://www.gov.uk/guidance/land-affected-by-contamination

<p>contamination to an acceptable level.</p> <p>Where contamination is known or suspected or the development site is in the vicinity of such land, a report with a desk study listing current and historic uses of the site and adjoining land, together with a site reconnaissance shall be provided, to determine the likelihood of contamination.</p> <p>In addition, where contamination is known or suspected or the site is in the vicinity of such land, a preliminary conceptual site model (showing all potential pathways between contaminants and receptors – known as pollutant linkages) shall be provided, together with a preliminary risk assessment of these pollutant linkages.</p> <p>For development with a sensitive end use, a minimum of a Preliminary Risk Assessment (PRA) will be required regardless of the history of the site, contaminated or otherwise. Dependent on the site and the end use and the potential for contamination to affect the development proposals, there may be requirements for a PRA, Site Investigation and Risk Assessment and Remediation Strategy to be submitted with the application</p>	
<p>15. Lighting Assessment</p> <p>Proposals involving the following:</p> <ul style="list-style-type: none"> - provision of flood lighting for sport and recreational facilities and for publicly accessible developments, within 100 metres of residential property, a listed building, a conservation area, or open countryside, - where external lighting would be provided or made necessary by the development or lighting for advertisements should be accompanied by the details of external lighting and the proposed hours when 	<p>Guidance on this matter can be obtained from:</p> <ul style="list-style-type: none"> • NPPG https://www.gov.uk/guidance/light-pollution • Lighting in the Countryside: Towards Good Practice • Institute of Lighting Engineers: Guidance Notes for the Reduction of Obstructive Light GN01 2005 • Lighting in the Countryside: Towards Good Practice

<p>lighting would be switched on. These details shall include a layout plan with beam orientation and a schedule of equipment in the design. This should include technical specification designed to ensure nuisance from lighting is minimised/prevented.</p>	
<p>16. Noise Impact Assessment Noise Assessments should be prepared by suitably qualified acousticians. They should usually outline the existing noise environment, the potential noise sources from the development, or the noise sources likely to affect the development, together with any mitigation measures</p>	<p>Guidance on this matter can be obtained from:</p> <ul style="list-style-type: none"> • National Planning Policy Framework, • NPPG https://www.gov.uk/guidance/noise--2 • Noise Policy Statement for England (DEFRA) • http://www.rother.gov.uk/CHttpHandler.ashx?id=20868&p=0 Sussex Local Authorities – Sussex Pollution Working Group
<p>17. Open Space Assessment Plans should show areas of existing or proposed open space within or adjoining the application site.</p>	<p>Guidance on this matter can be obtained from:</p> <ul style="list-style-type: none"> • National Planning Policy Framework, Section 8 • NPPG https://www.gov.uk/guidance/open-space-sports-and-recreation-facilities-public-rights-of-way-and-local-green-space • Rother District Council, „Open Space, Sport and Recreation Study 2007“ • Sport England - Planning Applications
<p>18. Pre- application Engagement Statement NPPF para..39 advises that, <i>“Early engagement has significant potential to improve the efficiency and effectiveness of the planning application system for all parties. Good quality pre-application discussion enables better coordination between public and private resources and improved outcomes for the community.”</i></p> <p>For significant Major applications a statement should be submitted detailing how pre-application community involvement has been undertaken on explaining how the</p>	<p>Guidance on this matter can be obtained from:</p> <ul style="list-style-type: none"> • NPPG https://www.gov.uk/guidance/before-submitting-an-application

<p>results of any consultation have been considered and led to the evolution of the submitted scheme.</p>	
<p>19. Refuse Disposal Strategy Plans/Design and Access Statements will need to demonstrate:</p> <ul style="list-style-type: none"> • How, as part of the overall design, refuse and recycling will be stored and collected; • That the proposal will meet the current waste and recycling requirements and is flexible to adapt to future needs; and • Provision for prevention of litter from commercial premises. 	<p>Guidance on this matter can be obtained here</p>
<p>20. Retail Assessment – Town Centre Uses NPPF paragraph 89 advises that this assessment should include assessment of:</p> <p>a) the impact of the proposal on existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal; and</p> <p>b) the impact of the proposal on town centre vitality and viability, including local consumer choice and trade in the town centre and the wider retail catchment (as applicable to the scale and nature of the scheme).</p>	<p>Guidance on this matter can be obtained from:</p> <ul style="list-style-type: none"> • National Planning Policy Framework paragraph 89
<p>21. Structural Survey The structural survey of the building to be converted should be carried out by a suitably qualified professional person and be sufficient to demonstrate that the building is capable of being converted without substantial rebuilding. The survey should include a detailed condition report and</p>	

<p>specify the extent and nature of any repairs proposed.</p>	
<p>22. Sunlight Daylight Assessment Applicable for all applications where there is a potential adverse impact upon the current levels of sunlight/daylight enjoyed by adjoining properties or building(s) including associated gardens and amenity space but especially in relation to proposals for high buildings.</p>	<p>Guidance on this matter can be obtained from:</p> <ul style="list-style-type: none"> • Site Layout planning for daylight and sunlight: A guide to good practice 2011 (BRE)
<p>23. Sustainable Drainage Assessment Sustainable drainage should be designed as part of the initial layout on any development and is a national requirement in relation to all major developments with surface water drainage. Specific advice has been produced at a county level taking into account local conditions in East Sussex. Applications will need to be accompanied by sufficient information – depending on the type of application - dealing with, amongst other matters:</p> <ul style="list-style-type: none"> - existing drainage arrangements - discharge rates exiting and as a result of the development - proposed drainage layout and strategy - site investigations - construction details - off-site impacts, and - future maintenance and management <p>In view of local drainage issues any new development (excluding changes of use) at Fairlight Cove (other than Major developments requiring the information required above) shall be accompanied by surface water drainage arrangements for the proposed development and where applicable based on the use of, and information obtained from, the East Sussex County</p>	<p>Guidance on this matter can be obtained from:</p> <ul style="list-style-type: none"> • The NPPG sets out the government position at: http://planningguidance.communities.gov.uk/blog/guidance/flood-risk-and-coastal-change/reducing-the-causes-and-impacts-of-flooding/ • Information East Sussex County Council can be found at: https://new.eastsussex.gov.uk/environment/flooding/sustainabledrainagesystems/ <p>see Lead Local Flood Authority advice at http://eastsussex.suds-tool.co.uk/</p>

<p>Council - SuDS Decision Support Tool for Small Scale Development</p>	
<p>24. Telecommunication Information A supporting statement is required for all telecommunications development and shall include the following:</p> <ul style="list-style-type: none"> • a declaration that the equipment and installation fully complies with the ICNIRP requirements • area of search • a map showing the relationship of the application site to schools and other Telecommunication equipment in the vicinity • a statement explaining the reasons for the choice of the design • technical information including the frequency, modulation characteristics, power output and the height of the proposed antenna • technical justification – details about the purpose of the site and why the particular development is required • details of alternative sites rejected with a justification for rejecting them: This should include existing masts, structures and other buildings within the search area and an explanation if no alternatives considered • Visual impact assessment where relevant 	<p>Guidance on this matter can be obtained from:</p> <ul style="list-style-type: none"> • National Planning Policy Framework Section 10 • Code of Best Practice on Mobile Phone Network Development
<p>25. Transport Assessment (TA) or Transport Statement (TS) All relevant planning applications for developments in East Sussex should include a document specifically addressing transport issues and dealing with:</p> <ul style="list-style-type: none"> • the transport consequences of the development; • details of measures and/or initiatives proposed to provide 	<ul style="list-style-type: none"> • The coverage and detail of the TA/TS will depend upon the size and nature of the proposed development and the extent of the transport implications. • Thresholds and advice on the appropriate information to be submitted can be obtained from East Sussex County Council

<p>for the transport demands arising from the development and to mitigate its transport impacts.</p> <p>This document may take the form of a Transport Assessment (TA), a Transport Statement (TS) or a Transport Report (TR). The type of document required for any particular development will be determined principally by reference to the link opposite. This presents thresholds (in terms of development sizes) which should be used to inform the choice.</p> <p>The application may also be accompanied by a Car Parking Capacity Survey</p>	
<p>26. Travel Plan A draft travel plan should outline the way in which the transport implications of the new development will be managed in order to ensure the minimum environmental, social and economic impacts.</p> <p>Developers should state how new occupiers or customers of the development will use alternative means of travel, which do not involve private vehicle use.</p> <p>The Travel Plan should include details of targets and arrangements for monitoring.</p>	<p>Guidance on the appropriate information to be submitted can be obtained from East Sussex County Council</p>
<p>27. Tree Survey / Arboricultural Statement Information will be required on which trees are to be retained within or on land adjacent to the site, and the means of protecting these trees during construction works.</p> <p>A suitably qualified arboriculturist should prepare a survey in accordance with the BS5837:2012 <i>Trees in relation to design, demolition and construction</i> –</p>	<p>Guidance on this matter can be obtained from: BS5857: 2012 Trees in relation to design, demolition and construction</p>

<p>Recommendations.</p> <p>Information to be provided:</p> <ul style="list-style-type: none"> • Plans • A full tree survey using the criteria and classification system outlined in the BS5837: • Trees to be retained and those to be removed. • Root protection areas (RPAs). • Any new planting/landscaping. • Tree protection plan, including location of tree protection measures. • An accompanying report which contains: <ul style="list-style-type: none"> ○ Survey information on the trees, ○ An arboricultural implications assessment including tree constraints e.g. impact of shading and assessing the impact the development will have and recommend mitigation. ○ A concise list of trees to be retained /removed and tree surgery work (including annotated photographs where relevant. ○ An arboricultural method statement describing how the trees will be physically protected during construction, particularly, any activity within the RPA e.g. information on specialist hard surfacing or foundations. 	
<p>28. Viability and Marketing Statement</p> <p>Where a change of use is proposed on the grounds that the existing use, or the policy-compliant use, is not viable, marketing information will need to be submitted to justify the case.</p> <p>The Marketing Statement will need to include evidence of the marketing of the building or enterprise in its current use or use class, including:</p> <ul style="list-style-type: none"> • the timing of the marketing, 	<p>Guidance on this matter can be found at:</p> <ul style="list-style-type: none"> • Financial Viability in Planning RICS 1st Edition 2012 • NPPG_ http://planningguidance.planningportal.gov.uk/blog/guidance/viability-guidance/viability-a-general-overview • CAMRA Public House Viability Test

- the period and means of marketing (this should normally be for a period of at least 12 months with an agent relevant to the type of building or use, i.e. specialist or commercial if appropriate),
- the asking price (this should normally include valuations from 3 relevant agents , which must reflect the current or other authorised uses of the site) and
- the extent of the land included (where relevant) and the nature of the interest being marketed / terms of sale.

In respect of the change of use of holiday accommodation evidence will also be required of the letting records and the marketing of the accommodation for holiday purposes over at least one year.

Where loss of village or town services or facilities are proposed, the Viability Statement should include

- 2 years trading accounts of the current operation
- CAMRA test (where loss of a public house is proposed)
- Survey of proximity of alternative services / facilities

Where the proposal involves the conversion of an historic agricultural building, the statement will need to include evidence of no agricultural need in the area for the building, and, where a residential use is sought, evidence by way of financial costings of conversions to employment or tourism uses to support why these uses are not being sought. This information should include

- costs associated with the conversion i.e. fees, building costs, and finance over a fixed term, but must include no purchase cost of the asset, and
- income i.e. commercial space revenue / letting income, less management and depreciation, and should include an annualised asset value.

<p>29. Ventilation and Extract Statement Details of the position and design of all ventilation and extraction equipment should be shown on the plans.</p> <p>In addition the Ventilation and Extract Statement should provide technical specifications, including predicted noise levels (and existing background noise levels), noise mitigation measures and odour abatement techniques.</p>	
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ABBREVIATIONS:

BS	British Standard
CAMRA	Campaign for Real Ale
DEFRA	Department of Environment, Food and Rural Affairs
DCLG	Department of Communities and Local Government
NPPF	National Planning Policy Framework (2018)
NPPG	National Planning Policy Guidance
DaSA	Rother District Council Development and Site Allocations Plan Proposed Submission – October 2018

FURTHER INFORMATION:

Any queries relating to this document or for clarification on the information needed should be addressed to planning@rother.gov.uk