

Eastbourne Borough Council

Pre-application advice
for planning and related applications

GUIDANCE NOTES

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Contents

Purpose of the note	3
What is pre-application advice?	3
What are the benefits of getting pre-application advice?	3
What is the Planning Performance Agreement (PPA) Service?	4
What won't pre-application advice do?	4
On what cases do we offer the pre-application advice service?	5
Will the enquiry be confidential?	5
Is there a charge for the service?	5
What will the advice look like?	6
Service Standards	6
How can I apply to use this service?	7
Appendix 1 – Steps in the process	8
Appendix 2 – Pre-application advice report template	9
Appendix 3 – Charging schedule	10-12

Advice Note - The pre-application advice service

Purpose of the note

This note sets out the details of and procedures for using our pre-application advice service and our enhanced pre-application advice service using a planning performance agreement.

What is pre-application advice?

This is advice given to anyone who wishes to carry out development in the Eastbourne Borough administrative area for planning and related developments.

Pre-application advice in relation to building control matters should be referred to:

The East Sussex Building Control Partnership

Building.control@wealden.gov.uk

Telephone 01323 443322

Pre-application planning advice given will usually cover:

1. The merits of the proposed development, offering a headline view on whether it will receive officer support.
2. The relevant policies against which the proposal will be assessed.
3. Who to engage with in the local community as you develop your proposal.
4. The processes involved should you proceed with an application.

What are the benefits of getting pre-application advice?

It will:

- Identify schemes which have little or no realistic chance of getting planning permission and highlight the 'show stopping' issues. This will save time and money on a scheme that will not get planning permission.
- Set out the key issues that the proposed development will need to address.
- Identify community and other related groups and/or elected members who you should be involving in developing your scheme.
- Provide help on how to resolve any potential issues or mitigate any possible impacts before the application is submitted, and so make the process of getting planning permission smoother.
- In the case of 'major' applications, establish the benefits of using a planning performance agreement
- Give you the scope of information (from the Local List) that you would need to make a planning application, so that when you submit the application you have a bespoke validation list.

- Start to build and establish a relationship with the caseworkers, specialist advisors and other council officers (e.g. internal consultees) who will make up the pre-application and development team.

What is the Planning Performance Agreement (PPA) Service?

This is an enhanced pre-application enquiry service offered on a selected range of significant major development projects. There is no definition of what type of development falls into this category, but it would include developments that propose:

- More than 100 dwellings
- Over 10,000 square metres of commercial space, or
- Sites of 2 hectares or more

The service is charged under a separate regime and can only be delivered with an extra payment to the usual pre-application advice charges. The extra payment will be used to secure extra resources to either undertake the PPA process or to free up time for in-house officers.

Applicants using the PPA Service can expect:

- A dedicated specialist advisor or equivalent
- A meeting with the lead officer for the service area
- A bespoke and agreed PPA
- A targeted planning committee date
- Programmed meetings on a 4 week cycle
- Use of the development team, i.e. a meeting with all Eastbourne Borough Council stakeholders attending
- The resources to present the proposal at the Lewes & Eastbourne Design Review Panel
- The opportunity for a members and stakeholder meeting, i.e. a meeting with elected members and representatives of the local community
- A pre-submission audit to assess your final application package is complete for validation purposes, to ensure registration with 24 hours, and that the application is complete for a decision to be made

What won't pre-application advice do?

It will not guarantee an outcome. We cannot agree to give planning permission or listed building consent through pre-application. We also cannot give a formal view of planning committee. This is because:

- a) Applications are subject to a wider consultation process than a pre-application enquiry, and issues may come to light that are not known at the time of giving the advice
- b) The views given will be current at the time of giving the advice but changes in planning circumstances and policy will need to be taken into account when the application outcome is decided

- c) Larger, more complex applications will be decided by a planning committee made up of elected members. While the committee will have an officer report and recommendation to consider, members may decide to give different weight to key issues and other material considerations, in arriving at their decision.

An application for pre-application advice will not confirm that a development will be permitted. If you require formal confirmation that the works or development constitutes a permitted development or does not require planning permission you will need to apply for a lawful development certificate.

Further information on lawful development certificates is available on the planning portal at www.planningportal.gov.uk.

On what cases do we offer the pre-application advice service?

The service is available for all types of development, including all new build residential and commercial proposals (both major and minor developments).

While we would always encourage engagement with us at the earliest opportunity, the pre-application advice service can also consider schemes at outline stage and at the 'reserved matters' stage.

For a full list of the types of development covered by this process see appendix 3

Will the enquiry be confidential?

We have found that it is best to include the local community in pre-application discussions as proposals are being developed, and will encourage this to happen at an early stage. To assist in this, we may let the parish council, Neighbourhood Plan representatives and ward councillors know that a pre-application enquiry has been received.

Is there a charge for the service?

Charges are calculated on a cost recovery basis, and this includes pre-application enquiries made after an application has been refused.

The cost depends on the scale of the proposed development and the level of service. The charge will be higher, for example, if the development team approach is needed or the planning performance agreement approach is used.

The full range of costs is outlined in the charging schedule in appendix 3. Fees are calculated according to the amount of work hours dealing with the enquiry will take.

Please note that the service is VAT liable and subject to VAT at the usual rate of 20%.

Charging is discretionary and there are certain circumstances where we can waive the charges.

Please let us know if the development concerns:

- Preserved trees/trees in a conservation area
- Charities and community groups
- Works to support disabled applicants

In all cases there will be an upfront charge which will cover the costs up to and including us providing our written advice, and the review meeting if needed. An additional charge will be due if further meetings are required.

For the larger and more complex cases, such as those where we use the development team or arrange a development management forum, there will be an extra charge on an hourly rate. We will always let you know if this is likely to happen and will not start any work that will incur additional costs without your consent.

If you require further advice after receiving our response and after we have closed the case, if circumstances have changed for example, there will be further costs. If this is the case we will tell you before undertaking any work.

For very significant developments we offer the opportunity for an informal discussion in advance of submitting a pre-application enquiry. This is known as an inception meeting and will be with the lead officer for the service area. This meeting is without charge and dependent on the general parameters of the proposed development being provided.

The inception meeting will be either a telephone conversation or a meeting, and is limited to 1 hour.

The purpose of the phone call or meeting is to identify the issues and information that will be considered by the council's pre-application team as well as identifying any fundamental obstacles to progressing the proposal and to lead you through the pre-application enquiry process, including what format we would like the enquiry submitted in.

What will the advice look like?

The advice will be in writing. For most development proposals we will use a standard template (Appendix 2) although some of the more complex cases could be supported by a letter and/or a meeting, which could be on site.

If appropriate, we will include a bespoke check list of everything needed to validate the proposed application.

In all cases when preparing the advice we will be guided by what you have told us about your proposed development and by what you want the response to cover. I would therefore advise you submit as much information regarding your proposals as possible.

Service Standards

Our aim is to respond as quickly as is possible, and targets are:

- Super major applications and proposals using the premium pre-application service with a PPA: to be agreed on a case by case basis.

- Major pre-application enquiry: initial contact within 5 working days to agree a timetable for the response
- Medium pre-application enquiry: 25 working days from receipt of valid information
- Householder pre-application enquiry: 20 working days from the receipt of valid information

How can I apply to use this service?

You can apply and pay for a pre-application enquiry through our website at www.eastbourne.gov.uk/preapp.

If you use a credit card to pay online, please note that there is a 1.5% charge.

If you apply online you can email the supporting documents by email to: customerfirst@eastbourne.gov.uk

Alternatively you may send the form and all your supporting documents by post to:

Eastbourne Borough Council,
1 Grove Road,
Eastbourne,
BN21 4TW

If you apply by post a customer caseworker will be in contact within 5 working days to take payment by phone.

You can make payment by phone on 01323 410000.

Remember that you must provide enough information to support your request and the amount of information will depend on how complex your proposal is.

If you require an inception meeting for a super major development please email customerfirst@eastbourne.gov.uk

Appendices:

1. Steps in the process
2. Pre-application advice – template
3. Charging schedule

APPENDIX 1 – STEPS IN THE PROCESS

Applicants/Agents will:

- Fill out the advice request form setting out what you want from the enquiry and including enough information for your proposal to be easily understood.

Pay the required fee online or by phone

We will then:

- Record the pre-application enquiry on our database
- Acknowledge receipt of the enquiry and the fee
- Allocate the case to one of the planning team managers to review and, if appropriate, allocate to a member of their team.
- Ideally the officer who deals with the enquiry will be the case officer if a full planning application is submitted. If for some reason this is not possible a new case officer may be allocated at the planning application stage. If this happens, as long as there has been no change in planning circumstances, we will stand by the pre-application advice.

We may circulate the details of the enquiry to local ward members and to the Neighbourhood Planning representatives and parish and town councils if considered necessary.

The Case Officer will:

- Contact you and let you know how the enquiry will be responded to, if other than in writing, within the time frame specified. This could include arranging a meeting, which could take place on site
- If the case is one where there are additional costs are required, we will contact you and let you know
- Respond to the enquiry in writing on or before the time frame specified in the charging schedule.

Appendix 2 – Pre App Advice Report Template Full Response

Lewes and Eastbourne Pre-application Advice Report	Site Address:	Ref No:
	<p>We understand your proposal to be: In this section of the report we will set out what we think you want to do.</p>	
	<p>Summary of Advice (correct at the time of giving the advice): In this section we will summarise the advice.</p>	
	<p>Things that you need to be aware of: In this section we will explain if there are any previous planning applications or site issues that you need to take into account. We will also say if the development is liable for the Community Infrastructure Levy (CIL).</p>	
	<p>Planning Policies that you need to be aware of: In this section we will list the main planning policies that are relevant to your proposal</p>	
	<p>Our initial headline views about your proposal: In this section we will say what we think about your proposal. This will include:</p> <ul style="list-style-type: none"> • Our view about the likelihood of permission being granted • A list of the documents or other supporting information that you will need at the validation stage. This may be a separate document. <p>Advice on the format of the application, including whether online or paper, the required number of copies and size of files etc.</p>	
7	<p>Things we recommend you do. ... In this section we will explain what you should do next. This may include advice on :</p> <ul style="list-style-type: none"> • How to improve your proposal to make it acceptable • Pre-application engagement with the local community • Who you should consult prior to submitting an application 	
8	<p>Information we consider is necessary to accompany your planning application: In this section we will provide a checklist of documents we consider necessary for the application to be valid. Please ensure that you include a copy of the completed checklist with your application.</p>	

You, as applicant, will be aware of the mandatory needs and requirements of the submitting the application via the Planning Portal; this list below identifies the supporting information that is considered to be a local validation requirement.

Your submission will not be validated if it is not accompanied with the required information and if this happens your project will be delayed and your application or submission could be returned

APPENDIX 3 Charging Schedule

Application types	Application category	Cost excl. VAT	Cost incl. VAT	Level of service delivery	Normal response times
Householder	<p>Householder Schemes</p> <p>Works or alterations to an existing residential dwelling, including extensions, garages, satellite dishes, garden structures etc.</p>	£12.50	£15	<p>Written advice</p> <p>Site visit to take place only if deemed necessary by caseworker/ specialist advisor</p>	20 Working days from receipt of valid information.
Medium	<p>Listed building schemes</p> <p>(If no planning permission required) Works to listed buildings</p>	£12.50	£15	<p>Written advice</p> <p>Site visit to take place only if deemed necessary by Specialist Advisor</p>	25 Working days from receipt of valid information.
Medium	<p>Other</p> <p>Advertisements; • Telecommunications (excl Reg 5 applications); • Changes of use where no operational development (except residential/holiday) • Renewable Energy – (including Wind turbines etc.) up to site area of 1ha Anything that is not covered by the other categories.</p>	£75	£90	<p>Written advice, site visit and up to 1 meeting.</p> <p>£60 per additional meeting and written advice</p> <p>Site visit/meeting to take place only if deemed necessary by Case Officer</p>	25 Working days from receipt of valid information.
Medium	Residential schemes for 1 - 2 dwellings including replacement of a single dwelling	£150	£180	<p>Written advice, site visit and 1 meeting.</p> <p>£60 per additional meeting.</p>	25 Working days from receipt of valid information.

				Site visit/meeting to take place only if deemed necessary by Case Officer	
Medium	<p>SMALL MINOR All residential schemes for the change of use to or erection of 3 - 5 dwellings (or holiday lets) or conversion of building(s) to 3 - 5 residential units (or holiday lets); • All minor non-residential schemes for new buildings • Non-residential buildings/extensions up to 499 sq. m floorspace</p>	£250	£300	<p>Written advice, site visit and 1 meeting. £60 per additional meeting.</p> <p>Site visit/meeting (s) to take place only if deemed necessary by Case Officer</p>	25 Working days from receipt of valid information.
Medium	<p>MINOR Residential proposals (including holiday lets) involving the erection of or change of use to between 6 – 9 residential units • Non-residential 500 – 999sq m floorspace</p>	£450	£540	<p>Written advice. site visit and Up to 2 meetings. £120 per additional meeting.</p> <p>Site visit/meeting (s) to take place only if deemed necessary by Case Officer</p>	25 Working days from receipt of valid information.
Major	<p>SMALL SCALE MAJOR Residential 10-30 houses or site area up to 2 ha; • Non-residential 1,000 – 4,999 sq. m or site area between 1 -2 ha • Renewable Energy – (including Wind turbines etc.) site area of between 1 – 2 ha</p>	£900.	£1,080	<p>Written advice, site visit and up to 2 meetings £200 per additional meeting</p> <p>Site visit/meeting (s) to take place only if deemed necessary by Case Officer</p>	Initial contact made within 5 working days to agree timetable.

Major	<p>MEDIUM SCALE MAJOR</p> <p>Residential 31- 149 houses or site area 2 – 4 ha; • Non-residential 5,000 – 9,999 sq. m floor space or site area between 2-4 ha • Renewable Energy – (including Wind turbines etc.) site area of between 2-4 ha</p>	£1,800	£2,160	<p>Written advice, site visit and up to 4 meetings *£360 per additional meeting</p> <p>Site visit/meeting (s) to take place only if deemed necessary by Case Officer</p>	Initial contact made within 5 working days to agree timetable.
Major	<p>LARGE SCALE MAJOR</p> <p>Residential greater than 150 houses or site area greater than 4ha; • Non-residential 10,000sqm floorspace or site area greater than 4ha; • All Environmental Impact Development • Renewable Energy – (including Wind turbines etc.) site area of greater than 4 ha</p>	£3,600	£4,320	<p>Written advise, site visit and up to 6 meetings*, *£500 per additional meeting</p> <p>Site visit/meeting (s) to take place only if deemed necessary by Case Officer</p>	Initial contact made within 5 working days to agree timetable.