

Pre-application guide for applicants

Updated: February 2023

Introduction

We recognise the value of constructive informal pre-application advice in guiding and progressing development proposals. We believe that providing considered advice prior to the formal submission of a planning application can ensure that the quality of a development is improved and that certainty in the outcome can be increased for the applicant. We are committed to providing the highest possible quality of pre-application advice.

Why seek pre-application advice?

We are able to provide you with advice and information on a variety of matters that you will need to consider before you make a planning application. Pre-application advice will help you to:

- Receive, where possible, a clear indication as to whether or not officers of the Council believe the proposal is likely to receive a favourable recommendation in the light of current policies and circumstances, though without prejudice to the Council's formal determination
- Identify any aspects of your proposal that may need to be amended or resolved prior to you submitting a planning application or a revised scheme following a refusal
- Identify the adopted (and where necessary emerging) policies relevant to development proposals
- Identify relevant planning history of the site as well as any planning constraints.
- Receive guidance on Planning Obligations (S106 Agreements or future CIL payments) where applicable
- Receive advice on any consultation or publicity you should carry out before submitting your application including with other statutory consultees
- Identify relevant material planning considerations
- Identify the information that you will be required to submit with your application In association with the Local Validation Checklist

- Engage with the local community and with local members (in accordance with the Probity in Planning protocol) on appropriate schemes

A summary of the service you may expect is set out below

A summary of the service you may expect is set out in the below sections. For advice on what information to submit, please see the information below:

- An email address, as this will assist us to provide you with a quicker response whether or not you are the owner of the site (or their agent) or a prospective purchaser.
- Clear information (Including sketches and photographs) regarding:
 - the existing site and/or building
 - the type and scale of development proposed (including dimensions)
 - scaled drawings (plans and elevations for larger schemes (new dwellings, commercial buildings, substantial extensions etc)
- You should also advise us whether or not you are the owner of the site (or their agent) or a prospective purchaser

For proposals for major sites (10 or more dwellings), please refer to our Major Schemes and Design Pre-Application Advice Note (pdf) which advises developers on the Council's expectations regarding the design process at preapplication stage for major schemes, in order to ensure that early and proactive engagement and meaningful discussions help lead to the high quality design solutions required by the NPPF.

For proposals affecting Listed Buildings or Conservation Areas, you will also need to submit further drawn, photographic and written information for:

- Listed Buildings – The works proposed, the areas of the listed building affected, the existing plan form of the listed building and any relevant research.
- Conservation Areas – The existing site in its surroundings, the proposed development in relation to its surroundings.

Please remember, the better the quality of the information provided, the more detailed and informed the advice will be.

Meetings

In instances where you have paid for a meeting, to enable us to provide you with as much detailed advice as possible we ask you to submit drawings and any other background information that you may have available at least two weeks before the meeting.

For major or complex schemes, where we may need consult other people before advising you, we will require the information further in advance. For these schemes we will let you know when we will need the information when we make the appointment.

Meetings will normally be held virtually. However, a meeting at Rother Town Hall may also be possible where appropriate.

One meeting per enquiry is the normal limit. However, additional meetings may be added for a commensurate additional fee.

Site Visits

For some pre-applications a site visit is included in the fee. However where this is not the case or additional site visits are considered necessary these can be arranged for an additional fee.

Timescales

Upon receipt of your completed request for pre-application advice with fee, we will aim to respond to you in writing within:

- 20 working days for non-major proposals.
- 40 working days for major proposals.

Requests for advice will be allocated to planning case officers according to the complexity and the availability of staff.

Major schemes will normally be dealt with by a Principal or Senior Planner. In the case of significant development proposals, to ensure that the process is as seamless as possible, the case officer will usually deal with any subsequent planning application.

Where it is necessary to consult statutory consultees you will be advised to seek bespoke advice from those bodies, some of whom provide their own separate preapplication service.

A Planning Performance Agreement (PPA) will have its own bespoke dates and timelines.

Planning Performance Agreements (PPAs)

For larger, more complex schemes, it is strongly recommended that you enter into a Planning Performance Agreement (PPA).

Rother's PPA Charter can be attached on our [Planning Performance Agreements page](#)

What are the charges for pre-application advice?

To ensure that we are operating effectively and are able to sustain our current levels of service, we operate a schedule of charges in accordance with the terms of the Local Government Act 2003. This ensures that the cost of providing the service is recovered directly from the user, and does not fall as a general cost to the council tax payer. The fee structure has been devised to ensure that the levels of charges are proportionate to the scale of development and reflect the cost of officer time.

For significant schemes or strategic scale development, we offer pre-application advice linked to a Planning Performance Agreement. We would offer comprehensive support to the applicant throughout the process, to agreed standards, with a phased payment schedule built into the Planning Performance Agreement.

All payments will be required in advance of an enquiry being processed

Fees

Domestic Development	£ (inc VAT)
Householder - which is not a Listed building	£150
Householder - which is a listed Building	£350
Listed Building - only involving repairs/replacement of historic fabric/minor internal works	No Charge

Domestic Development	£ (inc VAT)
Site Visit – Additional Service	£150

Residential	£ (inc VAT)
Single Dwelling/Holiday Let/Self-Contained Annex	£280
2 – 9 dwellings*	£500
10 – 24 dwellings* (subject to complexity e.g. AONB)	£1,000
25+ dwellings	Bespoke PPA
Site visit (Additional service; per officer)	£150
Additional meeting	50% of Pre-App meeting fee

* including one meeting at Rother District Council offices or video link; duration one hour

Other Developments	£ (inc VAT)
General Planning Advice (No Site Visit Additional Service)	£125
Advertisements	£200
Agricultural	£200
Change of Use/Mixed Use Development (Minor)	£250
Change of Use/Mixed Use Development (Major)	Bespoke PPA
Other development proposals not falling within any of the above categories	£250
New Commercial* (Up to 1000 sq. m GFA)	£500

Other Developments	£ (inc VAT)
New Commercial* (more than 1000 sq. m GFA)	Bespoke PPA
Site Visit (Additional Service; per officer)	£150
Additional Meeting	50% Pre-App meeting fee
Applicant meeting outside of the standard planning application process*	£1,000
Discharge of conditions (Major application)	£1,000
Discharge of conditions (other than Major application)	£500

* including one meeting at Rother District Council offices or video link: duration one hour

Planning Charge Exemptions

Some pre-applications exempt from fee, for more information, please view the points below:

- Where the development is for the direct benefit of a registered disabled person.
- Planning discussions in relation to Council enforcement investigations before the submission of an application or formal enforcement action.
- Where the enquiry is made by and for the benefit of a parish, town, district, or county council (including a publicly funded school).
- Where the enquiry is made for a 100% affordable housing scheme by a Housing Association/equivalent Affordable Housing provider working with Rother District Council or an architect/agent acting directly on their behalf.
- Where the scheme is by a charitable organisation or community group and is for their own purposes and/or for the direct benefit of the Rother community.

The charging scheme is implemented at the discretion of Rother District Council, although the relevant charge will only be waived in the most exceptional circumstances.

How do I obtain pre-application advice?

On the planning website there is a form which you can submit online and submit payment electronically – please see our [pre-application advice page](#)

Please Note:

Where planning applications are submitted more than 6 months after the advice is given, or where there has been a change in national or local planning policy, this may affect the weight attached to pre-application advice previously given.

Pre-application views and opinions are given ‘without prejudice’ to the consideration by the Council of a formal planning application, which will be subject to wider consultation and publicity. Advice given does not constitute a guarantee about the decision that will be made.

Any officer opinion on the need for planning permission will be informal advice only and cannot constitute a Certificate of Lawfulness of the proposed or existing use.

It must be stressed that any advice offered by the Council is no substitute for applicants undertaking their own investigative or surveying work. It is the applicant’s responsibility to ensure that any subsequent planning application is properly detailed and explained (and is accompanied by any relevant technical reports if appropriate), and that it complies with all our adopted guidelines and policies and complies with the requirements of the Local Validation Checklist.

If you would like to involve Councillors please contact the Planning Division first. Rother District Council has adopted the Probity in Planning protocol.

Confidentiality

Requests for pre-application advice and the response provided will not be placed on the Council’s website. There is however, the possibility that under the Environmental Information Regulations, we will be asked to provide information about enquiries for advice and copies of any advice given. We will need to decide whether such information can be treated as exempt from disclosure, for example if it is clear that its release

could adversely affect the interests of the person supplying the information.

Therefore if any of the information you submit is commercially sensitive at this stage please indicate whether and for how long this information needs to remain confidential when making your request for advice.

If as a result of pre-application advice the developer/applicant submits a planning application the pre-application advice will be made available for public viewing on request.

Contact Details

[Contact us online](#)