

# Draft Local List of Planning Application Requirements

## APPENDIX 1

---

### Introduction

This document is an appendix to, and is to be read in conjunction with, the Local Area Requirements for Planning Applications for Lewes District Council & Eastbourne Borough Council.

It provides more detailed guidance on the quality and content expected of different information requirements within the Local List of Planning Application Requirements. It is intended to assist applicants in providing suitably detailed and relevant information to ensure that the Local Planning Authority has the requisite information to fully understand and assess planning applications. Applications that contain good quality and relevant information are likely to result in fewer delays in the planning application process.

### 1) Planning Statement

**Justification** – To enable the applicant to demonstrate that the development complies with national and local planning policy, and any material planning considerations.

The Planning Statement should set out how the proposed development conforms to national and local planning policy.

Depending on the scope and nature of the proposed development, the type of application and the sensitivity of the proposed development location, the Planning Statement may vary in format from a short summary to a detailed document that includes commentary on all planning issues relevant to the proposal.

- A description of the site (including access, existing uses and landscape, ecological and built features) and its surroundings (including any relevant historic, ecological and landscape designations or uses that may be a constraint);
- A description of the proposed development and a summary of any impacts of the development (including the activities that will be carried out on the site, hours of operations, phases of the development, physical dimensions, proposed appearance, vegetation affected, any proposed planting, and any other associated features or information necessary to describe the development and establish the impacts);
- Reference to the relevant national and development plan policies and other guidance, and an assessment as to how the proposal is in accordance with these relevant policies and other guidance;
- When the justification and need of a proposal is considered to be a material planning consideration, reference to why the applicant considers there is a valid need should be included;
- A description of how the proposal meets the three dimensions of sustainable development and how any negative social, economic and environmental effects of the development will be mitigated and the positive effects enhanced;
- For variations of conditions/minor material amendments, what changes are proposed and why;
- Any details of pre-application discussions and wider consultation with the community and statutory consultees; and
- A summary of the conclusions and recommendations of reports and research contained as part of the application, reflecting on the links and interactions between the issues covered, and stating clearly which recommendations are being taken forward

(providing the detail of implementation) and which recommendations are not being taken forward and why.

## 2) Design and Access Statement

**Justification** - Statement to accompany and justify the proposal in a structured way.

### Planning Applications

Design and Access Statements must:

- (a) explain the design principles and concepts that have been applied to the proposed development; and
- (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.

The level of detail required will depend on the scale and complexity of the application. The design and access statement should explain the design principles and justification/reason for particular designs that have been applied to particular aspects of the proposal.

It should include the evolution of the design prior to submission, the rationale behind the scheme and how it meets the criteria of the Development Plan. The proposed use and amount of development proposed its scale, layout, landscaping, lighting, and overall appearance; and how issues relating to access to the development have been dealt with including wheelchair accessible development. Include information on how the design of the development contributes to achieving sustainable development, particularly in terms of climate change mitigation and adaptation measures such as green roofs and walls, sustainable drainage systems, multi-functional greenspace, protection and enhancement of biodiversity, waste reduction and recycling, water efficiency, flood risk management, and the use of recycled materials. The statement should also demonstrate how the development has complied with the energy hierarchy in terms of working towards zero carbon development, by focusing on energy efficiency first, followed by the provision of on-site renewable energy generation and other off site large scale solutions as necessary.

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 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.

### 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.

### **3) Statement of Community Involvement**

**Justification** – To enable developers to show how they have engaged with the community prior to the submission of their planning application.

For larger-scale major applications or potentially controversial development proposals, the Council expects developers to engage with relevant stakeholders, including the local community and Ward Members where appropriate.

The Statement of Community Involvement should outline how consultation was undertaken, the responses which were received and how these comments have been taken into consideration.

A Design Review Panel meeting is strongly recommended for applications proposing 30 or more residential units, 10,000 square metres of non-residential floorspace or any application which may be considered to be of a controversial nature and or propose a unique or 'special' form of architectural interpretation.

### **4) Environmental Statement for EIA Development**

**Justification** – To ensure that the environmental impacts of certain types of developments (EIA development) have been fully considered.

The Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

Schedule 4 of the above regulations sets out the information that should be included in an Environmental Statement (ES). For developments that are listed in Schedule 1 or meet the criteria and/or thresholds of Schedule 2 of the above regulations, developers are encouraged to request an "EIA Screening Opinion" from the Local Planning Authority, prior to the submission of a planning application, to determine whether a development is "EIA development" and requires an ES. In cases, where a full ES is not required, it is expected that any relevant information will be covered by submission of the relevant documents in the Local Validation List.

### **5) Biodiversity/Ecological Assessments**

**Justification** – To ensure that applicants have considered the impacts on habitats and protected species.

Information should be provided on existing biodiversity interests and the possible impacts on them. This will allow full consideration of those impacts to be considered. Information will be needed to support proposals that include mitigation and/or compensation measures.

The Technical Advice note on biodiversity net gain issues should be populated and supplied alongside the application.

Where appropriate, accompanying plans should indicate any significant wildlife habitats or features and the location of habitats for any species protected under the Wildlife and Countryside Act 1981, or the Protection of Badgers Act 1992. Certain proposals which include work involving the demolition of older buildings or roof spaces, removal of trees, scrub, hedgerows or alterations to water courses may affect protected species and will need to provide information on them, any potential impacts for them and any mitigation proposals for such impacts.

Information on designated sites can be found via <http://www.naturalengland.org.uk/>

Applicants should provide a Preliminary Ecological Appraisal (PEA) (Phase 1 Survey and any necessary Protected Species or Habitat Surveys (Phase 2 Surveys) as identified in the PEA.

The Council operates under a District Licensing Scheme for Great Crested Newts. If you intend to enter this scheme, you should do so prior to submission of the planning application and submit the relevant reports as part of the application submission. See [www.naturespaceuk.com](http://www.naturespaceuk.com) for more information.

## **6) Biodiversity Impact Assessment Metric**

**Justification** – To quantifiably demonstrate the impact on biodiversity and demonstrate whether there will be a net loss or gain in biodiversity because of the proposal.

The applicant should submit the Technical Advice Note Biodiversity Net Gain Checklist alongside the relevant application. The TAN encourages an on-site biodiversity net gain to be designed into the scheme at the earliest opportunity. Only where it can be demonstrated that this is not possible should off-site offsetting be considered.

## **7) Tree Survey/Arboricultural Impact Assessment (AIA)**

**Justification** – To ensure that applicants have considered the impacts trees, hedgerow.

The AIA or Tree Survey should provide information on which trees are to be retained and the means of protecting these trees during construction works. Where works are required to trees, this should be outlined within the survey.

If trees are to be removed due to this development, it should show where replacement landscaping will be provided to mitigate the loss of the trees (this can be provided by way of landscaping plans if these are required also). This information should be prepared by a qualified arboriculturist.

## **8) Flood Risk Assessment (FRA)**

**Justification** – To ensure that flood risk will not be increased on or off site.

The FRA should identify and calculate the risks of all forms of flooding to and from the development and demonstrate how the development remains safe throughout its lifetime, taking climate change into account. A Sequential and/or Exception Test should be provided where necessary.

As part of their flood risk assessment, applicants must provide details of indicative breach flood water levels, ground levels, floor levels (ground, first and second) in metres, and show the floor level for bedrooms and safe refuges, providing justification for the options chosen.

Applicants must also provide a flood plan, detailing evacuation, and flood response; this must be prepared by a qualified emergency planner and must be maintained for the lifetime of the development.

## **9) Sustainable Drainage System (SuDS) Strategy**

**Justification** – To ensure that the development meets the aims of not contributing to issues of localised flooding.

A Drainage Strategy should set out how the water will be drained from the site, as developed, without increasing the impact on adjacent areas or a Statement setting out why this is not necessary in this case.

The Applicant should access [the SuDS Tool on the East Sussex website](#) and design their scheme on around the output results from the SuDS tool. The output report from the SuDS tool should accompany all applications where there is a net gain in hard surface or building coverage.

## 10) Heritage Statement

**Justification** – To demonstrate that the impact on designated and non-designated heritage assets has been properly assessed. As a minimum the relevant record (HER) should have been consulted and the heritage assets identified.

Heritage assets also have a 'setting' which may contribute to their significance, this setting can be affected by proposals on another site. The Heritage Statement should consider the impact upon both the assets within the site and those outside it.

'Designated' heritage assets within the Council Area include listed buildings, conservation areas, scheduled monuments and historic parks and gardens. Other assets may possess heritage significance meriting consideration in planning decisions, these are commonly known as 'non-designated' heritage assets. These can vary in type, including for example, important elements of the twentieth century new town. Non designated heritage assets must also be identified in the heritage statement.

Heritage statements must provide an impartial and objective assessment. In some cases, it will be necessary to engage suitably qualified specialists to undertake this.

The statement must:

Assess and describe the significance of the heritage assets affected, identifying those elements that contribute to that significance and, where appropriate, those that do not. The level of detail shall be proportionate to the assets' importance and no more than is sufficient to understand the

potential impact of proposals on their significance. Limited and localised alterations to an unlisted building in a conservation area need not be supported by the level of detail required to convey the impact on significance of, for example, alterations to the built fabric of a listed building.

- Be of an analytical and interpretive nature rather than simply provide a description of the assets and the proposed works.
- Provide a sound justification for the works, based on the economic, social, and environmental benefits delivered by the scheme, for example, promoting the long-term care for a heritage asset and/or its setting.
- Explain how the scheme has taken account of the significance of the assets in its scope, design, and detail, to minimise or avoid harm to the heritage assets affected.
- Assess the nature and extent of any harm or public benefit arising from the scheme. Where harm is caused by the proposal, the assessment shall explain why such harm is unavoidable or required to deliver public benefits that outweigh the harm caused.
- Consider the full scope of works required to achieve changes to the listed building, such as those that will be required by Building Regulations, The Fire Authority, Environmental Health etc.

The scope and degree of detail necessary in a Heritage Statement will vary according to the circumstances of each application. The NPPF advises that applicants 'describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary' (paragraph 189, NPPF 2019).

A structural survey may be required in support of an application for listed building consent.

## 11) Archaeological Assessment

**Justification** – To demonstrate that the impact on potential archaeological sites has been considered.

The Archaeological Assessment should be prepared by a suitably qualified and accredited individual or organisation, and should use existing information (including data from the Council's Historic Environment Record) to establish the archaeological significance of the site and the impact of the proposals on surviving remains.

Archaeological fieldwork may be required prior to the determination of certain applications to determine the actual extent and degree of survival on site.

An assessment will be required where there is a reasonable probability of archaeological remains, whether below or above ground, being present on the site.

Domestic extensions and alterations will not require such an assessment unless located on a scheduled monument. Where there will be significant ground disturbance, especially where there are known archaeological remains recorded on the Historic Environment Record (or in areas over 0.5 hectares which have the potential to contain significant remains), then a field evaluation including trial trenching leading to a mitigation strategy may be necessary as part of the Heritage

## 12) Window and Door Details

**Justification** - To ensure that details are provided to make assessment on the impact on the conservation area or listed building.

Photograph of existing elevation where you wish to install the new windows.

The photograph must:

- Be titled to make it clear which elevation of the building it is (e.g. north elevation, south elevation).
- Be clear and not be obscured by any structures, trees, or vehicles etc. If obstructions are present you will need to provide a scaled existing elevation plan instead of a photograph.
- Have written dimensions of the window openings.
- Be large enough to clearly see the style of existing windows.
- Each window you wish to replace must be clearly referenced (e.g. W1, W2).

A statement must be provided indicating that the size of the window openings will not be altered. If the window opening sizes will be altered, then you will need to provide a scaled existing elevation plan instead of a photograph.

Details of proposed window at a scale of 1:10 or 1:5 (see Example 3 in Appendix 1)

This must:

- Be of sufficient quality and detail to see the window detail.
- Show glazing bars, sash horns etc. where appropriate.
- Be referenced to the photographs to clearly identify which replacement window the drawing relates to.
- Colour and material of the doors/windows.

Note: It may be that you can obtain these drawings from the window manufacturer.

However, if these are not available you may need to employ someone to complete these drawings as they will have to be of a suitable standard and detail.

Scaled Vertical and horizontal cross sections.

These must:

- Be of a sufficient quality and detail.
- Be to a scale of 1:5 or 1:2.
- Show the reveal (how far the window is set back in the wall) of the window in relation to the surrounding wall.
- Be referenced to the photographs to clearly identify which replacement window the drawing relates to.

Note: It may be that you can obtain these drawings from the window manufacturer.

However, if these are not available you may need to employ someone to complete these drawings as they will have to be of a suitable standard and detail.

### 13) Transport Assessment/Statement

**Justification** – To ensure that the impact on the highway has been considered and that encouraging sustainable transport has been considered.

A Transport Assessment should be submitted as part of major planning applications or where the proposed development has significant transport implications. The coverage and detail of the assessment should reflect the scale of the development and the extent of the transport implications of the proposal.

For smaller schemes, a Transport Statement should simply outline the transport aspects of the application. For major proposals, the assessment should illustrate accessibility to the site by all modes of transport, and the likely modal split of journeys to and from the site.

It should also give details of proposed measures to improve access by public transport, walking and cycling, to reduce the need for parking associated with the proposal, and to mitigate transport impacts. The statement should analyse existing traffic flows around the site and the likely change that will occur due to the development.

Should include details as set out in the Transport Assessments, Transport Statements and Transport Reports – Guidance for Development Proposals in East Sussex and will include the existing conditions, development details, predicted person trip generation and mode splits, predicted residual vehicular trip generation based on proposed travel plan measures, distribution of residual vehicular trips, junction capacity assessments and merge / diverge assessments at opening year and ten years after registration of application, and details of the proposed mitigation measures including proposed measures to improve access by public transport, walking and cycling, to reduce the need for parking associated with the proposal. It is advisable for an applicant to contact East Sussex County Council Highway Authority and/or the Highways Agency (if affecting a Trunk Road) as early as possible to establish the need for a Transport Assessment or Statement and if needed, agree the scope.

### 14) Travel Plan

**Justification** - To ensure that a plan for increasing sustainable travel is in place.

A Travel Plan should set out how transport implications created by the development will be mitigated. It should aim to encourage more sustainable methods of transportation as part of the development scheme.

The plan should note where existing transport systems can be utilised or whether new connections will need to be proposed. Where non-residential uses are proposed, the Travel Plan should analyse how similar uses, or an existing use, utilise sustainable methods of transport and how further use of these will be implemented and monitored.

#### **15) Parking Assessment/Plan**

**Justification** - To ensure that applicants have provided sufficient vehicle and cycle parking, to avoid an adverse impact on highway safety.

A Parking Plan should show details of existing and proposed parking provision and could also be shown on a site layout plan. Layouts should be clear to show where parking is allocated to individual properties or where it is unallocated parking.

For non-residential uses, layouts should show where staff parking is provided and where parking is provided for visitors. If multiple units are proposed, or for a change of use of part of a larger site, any parking spaces which are solely in the use of that unit should be highlighted. Likewise, any spaces which are in the use of other units which would not be able to be used by this unit should be shown.

The dimensions of parking spaces and access routes should comply with the Parking Standards as shown by East Sussex Highway Website, dimensions should be shown on the plan.

For major developments a Parking Schedule should be provided to list the parking on a plot-by-plot basis, including any instances of tandem parking, any associated additional requirement and the amount of unallocated parking for the development as a whole.

Most forms of development have the potential to increase the amount of on-street parking. Where insufficient off-street parking to meet the Council's Parking Standards is proposed, an on street parking survey should be carried out to ensure that the increase in on street parking will not have an impact on highway safety, the free-flow of traffic, amenity, access by emergency services, refuse collection and delivery of goods.

#### **16) Tracking Diagrams/Visibility Splays**

**Justification** - To ensure that applicants have provided safe and appropriate vehicle access.

Tracking diagrams for private, refuse and emergency vehicles should be provided that show safe and easy access and egress to the site. Any developments that would be served by HGVs should also provide diagrams to show that the relevant vehicles can access and exit the site safely, and in forward gear.

If alterations or new access to the adopted highway is proposed, then appropriate visibility splays for the speed of the road should be provided.

#### **17) Construction Traffic & Management Plan**

**Justification** - To ensure that applicants have considered the traffic implications of a proposal during the construction phase.

A Construction Traffic Management Plan should be provided that includes details of the site compounds, including on-site parking areas, loading, and unloading areas, construction access, level of vehicle movement and routing arrangements. If necessary, details regarding wheel washing and road sweeping facilities should be provided.



Construction Management Plan The construction site management detail that must be submitted with this Management Plan will be wholly dependent on the construction processes that are being undertaken.

Please note that traffic and highway issues are addressed in the Construction Traffic Management Plan.

Please provide the following: • Site plan • Details of neighbour consultation • Working hours • Details of liaison with other site managers in the vicinity (if applicable) • Summary and programme of works including demolition and construction • Demolition and construction details • e.g. piling methodology • Plans for site arrangement (including storage areas) and monitoring equipment where applicable • Noise and vibration mitigation • Dust mitigation and air quality • Statement to confirm sign up to the Considerate Constructors Scheme

## **18) Sustainability in Development Statement**

The developer should engage with the Sustainability in Development Technical Advice Note and submit the checklist.

**Justification** - To demonstrate that the proposal is energy efficient, low carbon and environmentally sustainable.

The Sustainability in Development TAN provides a checklist of sustainability requirements and objectives that applicants should consider in development proposals. Applicants are requested to complete and submit the checklist to show whether sustainability issues have been given consideration in the proposal, and to provide evidence on how this has been done.

Sustainability in Development Statement should include information about how the design and construction of the development complies with sustainable design and construction policies and guidance and will be built to achieve the highest standards possible.

It should also include information about how the layout achieves the most sustainable development, how landscaping is likely to be utilised to improve sustainability, renewable energy utilisation, use of building materials and achieving carbon neutrality, where appropriate. Where an element of the scheme cannot meet any of the goals of sustainability in policy, it should be highlighted why this cannot be achieved.

The statement should also outline how the development proposes to interact with providing positive environmental, social, and economic implications, such as integration with sustainable transport networks and infrastructure and climate change mitigation.

## **19) Housing Statement and Accommodation Schedule**

**Justification** - To ensure that an appropriate mix of housing types, and an appropriate proportion of accessible, adaptable, and innovative and self-build homes have been proposed.

A Housing Statement and Accommodation Schedule will need to provide:

- Details of the mix of housing, provision of affordable housing, and provision of accessible and adaptable and self-build homes.
- Details of the size and tenure of dwelling units and any arrangements with social housing providers.

- Details of the numbers of habitable rooms and / or bedrooms, and the floor space of habitable areas of residential units in accordance with the Nationally Described Space Standards (NDSS).
- If different levels or types of affordability or tenure are proposed for different units this should be clearly and fully explained.
- A site layout plan which shows the location of market and affordable housing (full application or approval of layout only).
- Any other material information which influences the provision of affordable housing or housing mix decisions (i.e. need or viability of affordable housing).
- Any details of innovative design and construction methods
- An Accommodation Schedule which provides a plot-by-plot list of dwellings, including type, tenure, size, and whether it meets the requirements of an accessible or adaptable home.

## **20) Economic Statement (including application of sequential testing where necessary)**

**Justification** – To demonstrate how new employment opportunities have been created, or the loss of employment floorspace justified.

Applications may need to be accompanied by a supporting statement of any regeneration benefits from the proposed development, including: details of any new jobs that might be created or supported; the relative floor space totals for each proposed use (where known); any community benefits; reference to any regeneration strategies that might lie behind or be supported by the proposal; and how the proposal contributes to local economy.

Where there is a loss of employment space, the economic statement will need to demonstrate that the site is environmentally or physically unsuitable for employment generating uses, that the site has been fairly marketed for at least two years and there is no real prospect of any form of employment arising or employment is only viable within a mixed use scheme.

Development of a town centre use which is in an edge or out of town centre location, will need to provide an impact assessment which demonstrates the following:

- The need for development.
- That the development is of an appropriate scale.
- That there are no more central sites for the development.
- That there are no unacceptable impacts on existing centres.
- That locations are accessible; and
- If a unit is subject to change of use, it should be demonstrated that the site has been fairly marketed for at least two years and there is no real prospect of a viable town centre use occupying the unit (if loss of town centre use proposed).

Town centre uses are defined as: retail; leisure facilities; entertainment facilities; intensive sport and recreation uses; arts, culture, and tourism use.

## **21) Landscape Visual Impact Assessment**

**Justification** – To assess the landscape impact of a proposed development.

Applications for development which would have an impact on landscape character, whether by virtue of their size, location, or nature, should be accompanied by an LVIA in

accordance with standard guidance. It is likely that most major or minor development in the Open Countryside, or proposals which are significantly taller than their surroundings will require an LVIA.

## **22) Landscaping Details**

**Justification** - To provide an appropriate landscaping scheme and setting for the proposal.

Applications for development shall include Landscape plans show the proposed design and layout of all outdoor areas within the curtilage of a development.

Submitted landscape plans should set out the proposed landscape layout, including:

- How it responds to policies.
- Ecological benefits.
- Climate change adaptation measures.
- The approach to trees.
- Sustainable drainage.
- Management and maintenance; and
- Landscaping materials.

## **23) Lighting Assessment**

**Justification** - To assess the impact of lighting on biodiversity, dark night sky and amenity, and any implications for safety and security.

Applications for development where external lighting (including commercial uses, recreational uses, security lighting and floodlighting) is proposed or required to sustain the development will be required to be accompanied by details of external lighting and the proposed hours when the lighting would be switched on. These details should include a layout plan with beam orientation, a schedule of the equipment in the design and the light/lux levels for proposed lighting.

## **24) Open Space Assessment**

**Justification** - To ensure that applicants have assessed the implications of a loss of open space and provided appropriate facilities in new developments.

Plans to be submitted showing any areas of existing or proposed open space, or play, sports, or recreation facilities, within or adjoining the application site. Where the proposal would result in the loss of open space or play, sports or recreation facilities, an independent assessment should be provided as evidence that the land/buildings are surplus to local requirements. The assessment must also identify provision for future amenity space (including private, public, communal, and formal play space).

Applications for major developments should provide details of proposed play space. This should identify formal and informal play space provision, demonstrating how quantity standards have been met, and should include information on the location and design of the space (including layout, landscaping, and materials). Maintenance arrangements should be included.

## **25) Noise Assessment**

**Justification** - To ensure that potential noise from the development or its surrounding have been considered, to assess the impact on amenity.

Applications for developments that may generate noise disturbance to the occupants of nearby existing buildings, or are considered to be noise sensitive and which are close to

existing sources of noise, should be supported by a noise assessment prepared by a suitably qualified acoustician.

A noise assessment should also be submitted in areas where noise pollution is already poor and could have an adverse impact on the proposed development. The noise assessment should confirm whether noise is an issue and where it is, demonstrate what mitigation measures would be implemented to ensure the inhabitants of the proposed development are not negatively affected by the existing noise pollution.

## **26) Ventilation/extraction Equipment Details**

**Justification** - To ensure that applicants have demonstrated that there will not adversely impact on human health and amenity.

Details of the position and design of ventilation and extraction equipment, including odour abatement techniques and acoustic noise characteristics, will be required to accompany all applications where there is a requirement for external ventilation/extraction equipment.

This information (excluding odour abatement techniques unless specifically required) will also be required for significant retail, business, industrial or leisure or other similar developments where substantial ventilation or extraction equipment is proposed to be installed.

## **27) Daylight/sunlight Assessment**

**Justification** - To ensure that applicants have demonstrated that the development does not cause unacceptable loss of amenity to adjacent occupiers by reducing the amount of daylight, sunlight, or because of overshadowing.

The assessment should illustrate that the development does not cause unacceptable loss of amenity to adjacent occupiers by reducing the amount of daylight, sunlight, or privacy. It should:

- Conform to the methodology identified in the Building Research Establishment guidance 'Site layout planning for daylight and sunlight: A guide to good practice' (2011); and
- Identify and examine the impacts upon existing properties and sites with extant planning permissions.

The assessment should include a floor plan demonstrating a 45 degree angle from the side wall of the proposed extension towards the ground floor of the neighbouring property, and an elevation plan demonstrating a 45 degree angle from the centre of the roof slope towards the ground floor of the neighbouring property.

## **28) Land Contamination Assessment**

**Justification** – To ensure that the risk from potential site contamination has been assessed.

A preliminary site investigation will normally be required. All investigations of land potentially affected by contamination should be carried out in accordance with established procedures (such as BS10175 (2001) Code of Practice for the investigation of Potentially Contaminated Sites) as required by the NPPF. Any site investigation information should be prepared by a competent person with a recognised relevant qualification, sufficient experience in dealing with the type(s) of pollution or land instability, and membership of a relevant professional organisation.

## **29) Circular Economy Technical Advice Note (Site Waste Management Plan)**

**Justification** - To consider the waste hierarchy in respect of waste generated on site.

The applicant should engage, populate, and submit with their application the Circular Economy Checklist

The Circular Economy TAN seeks to embed the circular economy principles, such as the responsible sourcing of materials, enabling buildings to be adaptable for future reuse, and ensuring the materials can be recovered and recycled, into the design of buildings from the outset, on the basis that if the scheme is designed in the right way, waste generated should be minimised as a result

The plan should demonstrate that the required waste storage and waste collection arrangements can be accommodated on the site. Applicants should demonstrate that waste can be managed on-site including evidence of waste reduction, use of recycled materials and dedicated recyclable waste storage space. This should include refuse vehicle tracking plans where refuse vehicles will be collecting waste from site.

Details on volume and type of waste to be stored and disposed of at site should be included both for the construction phase and once the development is implemented.

It should highlight any potentially hazardous or polluting waste that will be generated, stored, and disposed of at the site.

### **30) Telecommunications Development Statement**

**Justification** – To provide evidence to justify the development.

Full and prior notification applications for mast and antenna development by mobile phone network operators in England should be accompanied by a range of supplementary information as set out in the NPPF. This should include the:

- area of search.
- details of any consultation undertaken.
- details of the proposed structure.
- technical justification.
- information about the proposed development; and
- signed declaration that the equipment and installation has been designed to be in full compliance with the requirements of the radio frequency (RF) public exposure guidelines of the International Commission on Non-Ionizing Radiation Protection (ICNIRP).

### **31) Planning Obligations/Heads of Terms**

**Justification** - To consider the contributions necessary to make an otherwise unacceptable development acceptable, and to ensure that this process is undertaken early in the application process.

Planning obligations/S106 contributions are used to ensure that developments provide or contribute towards infrastructure and facilities that are necessary to support the development. Without these contributions the development would otherwise be unacceptable in planning terms. The circumstances which planning obligations may be required are outlined under the above policies.

Any application which will require contributions under planning policy should be accompanied by draft Heads of Terms. Draft Heads of Terms should be discussed and agreed at the pre-application stage.

### 32) Viability Assessment

**Justification** - To allow the applicant to justify non-compliance with policy on viability grounds.

A full un-redacted viability assessment should be provided at the time of submission. To fully assess whether the case made by an applicant for not meeting the policy requirements is reasonable and justifiable. This should include:

- Existing Use Value supported by an independent valuation.
- Land acquisition price and the basis of its purchase; salient terms of acquisition (e.g. subject to planning, soils, ground conditions survey, etc.).
- Purchase process (e.g. private treaty, open market bid, auction, etc.).
- Purchase costs including legal and agents' fees.
- Estimated sales values with independent supporting evidence including schedule of unit sizes.
- Estimated construction costs supported by Tender costs or QS schedule to include a specified contingency, contract related fees and itemised/defined 'abnormals'.
- Itemised preliminary costs.
- Professional fees presented under each respective heading.
- S106/CIL costs as advised by the LPA.
- Financing rate + evidence of financing terms/details (e.g. debt/equity ratio, etc.).
- Estimated profit together with contextual information appropriate to the developers target returns.
- Value/cost of the affordable housing provision, where relevant, together with tenure assumptions and calculation of any commuted sum; and
- Valuations using standard viability models such as HCA or RICS, will be acceptable subject to providing all the above information and are supported by an appropriate cash flow analysis.

Where viability grounds are used in not meeting policy (for example rural needs) it should be outlined why the proposed use or development is required in this location, and if related to a business operation, may require financial justification.

This information should be provided to the Council in its entirety. Applicants should be aware that the assessment will be made available in the same manner as other documents that form part of the submission.

If the Council considers it necessary to appoint an independent viability consultant to assess the application, the cost will be met by the applicant.

### 33) Road Safety Audit

**Justification** – In order to ensure that standards in highway and pedestrian safety are maintained.

All schemes requiring a Road Safety Audit will require a

Stage 1 (completion of preliminary design)

Stage 2 (completion of detailed design) &

Stage 3 (completion of construction) audit.

A Stage 4 road safety audit may also be required, if advised by East Sussex County Council Highways

#### **34) Soil Management Plan**

**Justification** – Where there is the movement of top and/or subsoils as part of a development proposal and where significant land rise or fall is proposed.

Land raising evidence needs to be supplied to assess the extent and substance of the imported material.

Land fall (removal) there needs to be an assessment and understanding as to the quality of the soil to be removed. This assessment needs to outline if it is to be re-laid at the site and or removed and disposed elsewhere.

#### **35) Agricultural and Forestry Workers Statement**

**Justification** – Where there is proposed a new workers accommodation or the loss of existing workers accommodation then a statement needs to be supplied outlining its justification.

Applications should be accompanied by form WPL8 on the Councils website.

[WPL8, Additional Information for proposed agricultural dwellings \(lewes-eastbourne.gov.uk\)](http://www.lewes-eastbourne.gov.uk)

#### **36) Agricultural and Forestry Diversification Plan**

**Justification** – where the proposal is reliant on the farm/forestry diversification as a key theme in the proposal a statement should outline the economic benefits, the employment opportunities and the potential that the diversification measures would have on the rural economy.

The Council encourages the submission of Farm Business Plans to indicate clearly the implications of diversification proposals on the continued operation of the whole farm and to assist in weighing the environmental and economic issues, particularly where these are finely balanced. Such plans are informal and complementary to a planning application and can cover matters such as the implications for other land and buildings, possible demolition of unsightly buildings, landscape management, habitat improvement, public access, etc., as appropriate. It is unlikely that proposals for farm diversification could be supported for smaller parcels of land which are not part of a working farm. Proposals should be a secondary activity to the main farm enterprise and ideally will complement the daily farm activity.

#### **37) Community Infrastructure Levy (CIL)**

**Justification** – To comply with the requirement of the CIL regulations and ensure that the relevant notices and supplied at the correct times.

To assess whether a development may be CIL liable, all applications for full planning permission, including householder applications and reserved matters applications following outline permission and applications for lawful development certificates, must include a completed CIL Additional Information Requirement form (Form 1). The form is available at: [http://www.planningportal.gov.uk/uploads/1app/forms/cil\\_questions.pdf](http://www.planningportal.gov.uk/uploads/1app/forms/cil_questions.pdf)

and guidance notes at:

[http://www.planningportal.gov.uk/uploads/1app/cil\\_guidance.pdf](http://www.planningportal.gov.uk/uploads/1app/cil_guidance.pdf)

The CIL charge will apply to all new homes and holiday lets, all residential extensions (including prior notification larger home extensions) and all new retail developments and extensions, that exceed 100 sqm. The Council will determine liability from the submitted CIL Additional Information Form.

The CIL Regulations allow for several types of Relief or Exemptions to be applied for. These are Charitable or Social Housing Relief, Self-Build Extension Exemption, Self-Build Annex Exemption and Self Build Exemption for a whole new home.

More information on the different types of Relief or Exemptions and how to apply for these can be found at:

[https://www.planningportal.co.uk/info/200136/policy\\_and\\_legislation/70/community\\_infrastructure\\_levy/4](https://www.planningportal.co.uk/info/200136/policy_and_legislation/70/community_infrastructure_levy/4)

It is important to note that although no further CIL Forms are required for Validation the correct CIL process must be followed to be able to apply for and claim relief, benefit from the payment instalment policy and avoid surcharge. Further information on the CIL Regulations can be found at:

[https://www.planningportal.co.uk/info/200136/policy\\_and\\_legislation/70/community\\_infrastructure\\_levy](https://www.planningportal.co.uk/info/200136/policy_and_legislation/70/community_infrastructure_levy)

For further information please see the CIL pages on our website.

### **38) Drawing Revision List**

**Justification** - This applies where amendments and or changes are proposed to a previously approved scheme and should take the form of a table which should list all proposed drawing numbers and reference the drawing number which the proposed drawing is intended to replace. A brief description should be included against each plan number of the changes proposed within the plan.

### **39) Foul Water Utility Statement**

**Justification** – On Major applications a statement needs to be submitted that outlines that prior to the submission of the scheme/proposal the applicant has engaged with the relevant statutory undertaker/provider in order to confirm that there is capacity within the existing network.

If capacity does not exist, the statement should outline the nature of the alternative and or mitigation proposed.

### **40) Playing Field and Sports Pitch Assessment**

**Justification** – where the scheme proposes new and more importantly the removal/reduction in the extent of Playing Fields.

The statement would need to outline the benefits of the additional resource and if necessary, what would be the impacts upon the local community with any reduction.

### **41) Aerodrome Safeguarding Statement**

**Justification** - The process is managed by the airport's aerodrome safeguarding team who are responsible for making sure that no developments within the 15km safeguarding zone (30km for wind turbines) have an adverse effect on the airport's operation.

Must comply with the town and country planning (safeguarded aerodromes, technical sites, and military explosives storage areas) direction 2002.



#### **42) Site Topographical Survey**

**Justification** – Required on all new dwellings and major applications and will ensure full interpretation of the likely impacts of a proposal in relation to residential amenity, streetscape, and landscape amenity.

#### **43) Air Quality Statement**

**Justification** – any proposal within or adjacent to any Air Quality Management Area adopted by the Council that is likely to result in an increase in traffic and or odour. The statement should outline the steps required to mitigate road related traffic pollution.

#### **44) Energy Statement**

**Justification** –

Energy Statements should demonstrate how the energy hierarchy has been applied to make the fullest contribution to CO2 reduction. All new major development should include a feasibility study for Decentralised Energy (Stage 3 of the energy hierarchy).

The Energy Statement should outline which actions the developer may take to meet local planning carbon reduction targets. The statement should build upon the Adopted Sustainability checklist and should include:

- Baseline annual CO2 emissions and energy costs
- Fabric first approach
- Heating, ventilation, and lighting details
- Low and zero carbon feasibility report – renewable energy technologies
- Advice in specification of energy efficient measures
- Demonstration that there is Improvement in CO2 over a baseline based on Part L Building Regulations

#### **45) Retail and Leisure Impact Assessment (RLIA)**

A RLIA is a means of establishing the potential commercial impact of a proposed new retail development on existing and committed (i.e. not yet built but have planning permission) retail and leisure developments. The main reason for the preparation of a RLIA is to provide relevant information to assist in the determination of an application for planning permission for major retail and leisure development. It is also used for assessing the significance of the impact on the current and future vitality and viability of the surrounding centres.

Retail and Leisure Impact Assessments should include quantitative and qualitative merits of the proposal when tested against national and local planning policies. In particular, it should consider the scale of the proposal, assess the effect of the scheme on existing centres within the locality and its wider catchment area and examine the qualitative improvements that would result from the scheme, if approved.

#### **46) Site Location Plan**

A 'site location plan' is a plan that shows the application site in relation to the surrounding area. The scale should typically be

1:1250 or 1:2500, and wherever possible the plan should be scaled to fit onto A4 or A3 size paper.

- The location plan should be based on an up-to-date map and have the direction of North identified.

- 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).
- The application site should be edged clearly with a solid red line.
- The application site should include 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 and open areas around buildings and any land associated with outfall drainage ie: ditches, pipes or headwall - an engineering operation).
- A blue line should be drawn around any other land owned by the applicant, close to or adjoining the application site.

#### **48) Delivery and Servicing Management Plan**

Delivery and Servicing Management Plans should contain the required information to adequately demonstrate that proposed development can be serviced, whilst taking account of access requirements, transport and highway impacts (including pedestrian and highway safety) and the practicalities of vehicle manoeuvrability.

As a minimum, the plan should include:

- the location of loading and unloading
- the hours of loading and unloading
- the frequency and size of vehicles
- swept paths.

#### **49) Planning Statement – Variation of condition applications**

Applications for a variation to, or removal of, a condition applied to a previous planning permission should describe fully and precisely what the minor amendments are compared with that originally approved.

This should cross-reference the annotated plans showing the proposed changes. You can provide this information in the format of a schedule.

Explain the reason why the application is required – for example, justification to extend the opening hours for a restaurant

It is important that approved plans are not changed in terms of the amount of information they provide. For example, if you are seeking a minor material alteration to an elevation, which is shown on an approved drawing with other approved elevations, you should provide the same drawing showing the changes, rather than just the elevation requiring change. This is because a new permission is granted as a result of a variation application and this needs to capture all previously approved information relating to the original scheme.

Plan drawings should therefore be revisions of those previously approved, to show clearly which drawings are being put forward for changes.

Variation of condition applications cannot be used to extend the time limit for implementation of the originally approved scheme. In instances where the time limit has expired, or will expire during the application period (or soon afterwards), information should be provided regarding any implementation of the permission.

## **50) Planning Statement – Non-material amendment applications**

Applications for non-material amendments following the grant of permission should describe fully and precisely what the amendments are compared with that originally approved. This should cross-reference the annotated plans showing the proposed changes. You can provide this information in the format of a schedule.

Explain the reason why the application is required.

## **51) HMO Management Plan**

A House in Multiple Occupation Management Plan is required for all HMO schemes falling within the Sui Generis Use Class.

The Plan should include details to demonstrate how the HMO will be properly managed, in the interest of the amenity of the area in which it is located, of safety and crime prevention and establishing a 'Code of Conduct'. This shall include details on;

- health and safety standards and procedures
- maintenance and repairs
- environmental quality and management (cleaning of communal spaces, refuse management, etc)
- landlord and tenant relationship
- resident welfare
- anti-social behaviour and disciplinary procedures
- administration procedures and occupancy records
- secured by design principles
- tenancy agreements
- Details of any acquired HMO license