

DRAFT

Pre Application Advice Charging Scheme (Revised December 2020)

Why make a pre application enquiry?

The Council has operated a pre application advice scheme since 2010 and this has demonstrated the value of early discussions with agents and developers as part of the development management approach to facilitating acceptable development. The National Planning Policy Framework also encourages engagement with Local Planning Authorities and local communities to achieve early consideration of fundamental planning issues and improved outcomes. Discussions about schemes before they are formally submitted as a planning application can help steer proposals into a form that are more likely to be acceptable whilst leading to the reworking or dropping of proposals that appear to be fundamentally unacceptable. Entering into pre application discussions may help save time, wasted expense and avoid frustration.

Further benefits include:

- Avoiding incomplete applications that cannot be registered
- Reducing the number of unsuccessful applications
- Reducing confrontation in the planning process
- Raising the quality of development
- Gaining community acceptance
- Securing satisfaction with the process

We will expect that guidance given by the Council's officers is taken into account in the preparation and working up of your proposals. Where it is evident that pre application advice has not been sought or taken into account in a subsequent planning application, the Council may not be able to negotiate significant amendments on a scheme.

What is covered by the Charging Scheme?

The charging scheme covers all requests for pre application and planning advice. This also includes advice given on whether planning permission or other consents would be required for a particular proposal. The scheme includes the ability to seek further specialist advice linked to the submission of a planning application, such as historic buildings, for an additional fee.

The following exemptions apply:

- General planning advice given by the duty officer or Customer Service Centre to direct you to the appropriate pre-application route
- Where the works are required to meet the needs of a registered disability

In addition, the charging scheme will not apply to advice given to the following organisations:

- Parish Councils
- West Sussex County Council
- Housing Associations (where the development is solely affordable)

Advice in relation to the highways aspects of development is available from West Sussex County Council as the Highway Authority, this may be accessed via the following link; <https://www.westsussex.gov.uk/roads-and-travel/information-for-developers/pre-application-advice-for-roads-and-transport/>. Advice in relation to flood risk and environmental impacts is available from the Environment Agency/Natural England via the following link; <https://www.gov.uk/guidance/developers-get-environmental-advice-on-your-planning-proposals>.

How do I obtain advice?

To find out whether planning permission is required for your proposal a '**Do I Need Planning Permission**' enquiry should be submitted. Such enquiries may relate to works to a dwelling or commercial properties. It is also possible to find out whether advertisement consent is required by submitting a '**Do I Need Advert Consent**' enquiry, and whether listed building consent is required by submitting a '**Do I need Listed Building Consent**' enquiry. These enquiries must be submitted via the relevant form (link provided in table below) by e-mail to dcplanning@chichester.gov.uk or via the online forms.

All requests for **written pre application advice** must be submitted via the relevant form (link provided in table below) by e-mail to dcplanning@chichester.gov.uk with a subject heading of *Pre Application Advice* or via the online forms.

The forms set out the information required for a request to be accepted and an enquiry will not be processed until the correct form and fee has been received.

Upon receipt of your request for pre application advice, we will aim to contact you within 5 working days either to request further details or to confirm that your request has been allocated to a Case Officer for action.

You may make an appointment for the **Pre-application Surgeries** up to two working days (five working days for Major schemes) prior to the allocated sessions. These are bookable as a 30 minute slot and will take place as an in-person meeting or as a video call. You will need to complete a form to enable us to accurately identify the site and provide some basic information about your proposal.

Listed building advice on site is offered by one of our specialists with the Conservation and Design Team. Once you have submitted the relevant form you will be contacted to arrange a meeting within 10 working days. A summary note of the meeting will be provided (normally by e-mail) after the site visit has taken place.

Should you require advice from the **Duty Planning Officer** may be obtained by visiting the Council Offices between 9am and 1pm, Monday, Tuesday, Thursday and Friday and between 9am and 5pm on Wednesdays. At times that it is not possible to open the Council officers to members of the public, the Duty Planning Officer service is available over the telephone during the advertised hours. There is no need to book an appointment, however if we are particularly busy there may be a short wait to be seen, or it may be necessary for the duty planner to call you back.

What will it cost me to obtain advice from Chichester District Council?

| Enquiry/Advice Service | Time scale | Fee | Fee for <u>additional</u> advice/meetings |
|---|-----------------|---|---|
| DUTY | | | |
| Duty Planning Officer Service <i>To advise on the appropriate pre-application route</i> 9am to 1pm Monday, Tuesday Thursday & Friday; 9am to 5pm on Wednesdays | Instant | Free | N/A |
| DO I NEED PLANNING PERMISSION / GENERAL ADVICE | | | |
| Do I Need Planning Permission (Householder) – <i>Permitted development enquiries for development in the curtilage of a Dwellinghouse</i> | 15 working days | £97 | N/A |
| Do I Need Planning Permission (Other) – <i>Permitted development enquiries for commercial and residential proposals</i> | 15 working days | £150 | N/A |
| Do I Need Advertisement Consent | 15 working days | £50 for the first sign, £25 for each additional sign | N/A |
| Do I Need Listed Building Consent | 10 working days | £150 | N/A |
| Site Constraints Check | 10 working days | £50 | N/A |

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| Validation Local List Advice | | | |
| Guidance on what you need to include with a planning application | 10 working days | £100 | N/A |
| PLANNING SURGERY SERVICE / MEETINGS | | | |
| Planning Surgery (Householder) | | | |
| <i>For enquiries for development in the curtilage of a dwellinghouse which would fall within a Householder Planning Application</i> | Set days per week (Two working days notice required) | £150 | N/A |
| Planning Surgery (Minors) | | | |
| <i>For enquiries which would fall within a Minor Planning Application</i> | Set days per week (Two working days notice required) | £250 | N/A |
| Planning Surgery (Majors) | | | |
| <i>For enquiries which would fall within a Major Planning Application</i> | Set days per week (Five working days notice required) | £500 | N/A |
| SPECIALIST ADVICE | | | |
| Written Tree Advice | 15 working days | £95 | N/A |
| Tree Advice On Site | | | |
| <i>Site visits are arranged within 10 working days of receipt of application form</i> | 10 working days | £195 | N/A |
| Listed building advice on minor works/maintenance | 15 working days | £120 | N/A |
| Listed Building Advice (on site) | | | |
| <i>Site visits are arranged within 10 working days of receipt of application form</i> | 10 working days | £295 | N/A |
| WRITTEN PRE-APPLICATION ADVICE | | | |
| Householder | 20 working days | £110 | £80 (up to 30 mins) |
| Adverts | 20 working days | £140 | £80 (up to 30 mins) |
| Shop Fronts | 20 working day | £140 | £80 (up to 30 mins) |

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| Businesses at Home <i>Advice on the planning merits of a business use within the curtilage of a dwellinghouse</i> | 20 working days | £175 | £80 (up to 30 mins) |
| Replacement Dwellings <i>One-for-one replacement dwellings on the same application site</i> | 20 Working Days | £250 | £80 (up to 30 mins) |
| Small Scale Minor e.g. 1-3 dwellings, non-residential (less than 500m2 gross floor space) | 20 Working Days | £375 | £120 (up to 30 mins) |
| Large Scale Minor e.g. 4-9 dwellings, non-residential (500-999m2 gross floor space) | 20 Working Days | £750 | £200 (up to 45 mins) |
| Small Scale Major e.g. 10-24 dwellings, non-residential (1000m2 - 1999m2 gross floor space) | Bespoke service/timetable to be agreed | £1,500 <i>Where a PPA is sought we will agree a bespoke fee</i> | £250 (up to 1hr) |
| Medium Scale Major e.g. 25-99 dwellings, non-residential (2000m2 - 4999m2 gross floor space) | Bespoke service/timetable to be agreed | £2,750 <i>Where a PPA is sought we will agree a bespoke fee</i> | £250 (up to 1hr) |
| Large Scale Major e.g. 100+ dwellings, non-residential (greater than 4999m2 gross floor space) | Bespoke service/timetable to be agreed | £5,750 <i>Where a PPA is sought we will agree a bespoke fee</i> | £250 (up to 1hr) |

The relevant fee must be paid by Debit Card to the Councils Customer Services Team. All fees are inclusive of VAT.

For the most significant schemes or strategic scale development, a Planning Performance Agreement (project management plan) may be appropriate in which the process of dealing with the proposal in accordance with a timetable, principles and procedures are agreed together. A Planning Performance Agreement would be drawn up at the pre application stage which would lead the process through the application stage and ensure sufficient resources are available to meet identified targets and commitments (please see the [National Planning Practice Guidance](#) for further information). This will involve agreeing a bespoke fee to ensure the aims of the Planning Performance Agreement can be achieved.

What do I need to do before advice can be given by the Council?

We will expect the following to be provided to enable your request to be actioned:

- Payment of relevant fee (by card only)
- Completion of the relevant Pre Application Advice form
- Location and site plans
- Relevant photographs to provide the case officer with an appreciation of the site and its surroundings

Where formal written advice is sought the following material will normally be expected:

- Sketch or indicative plans of the proposal
- Supporting studies/information

To ensure that requests for pre application advice are as productive as possible, applicants or their agents will be expected to provide sufficient information and plans to describe and explain their proposals including:

- An assessment of the character of the area
- An analysis of the opportunities and constraints of the site in its context.

These details will be used to promote a design led approach to the scheme and will enable the Council to assess whether a development team including specialist officers should be brought together.

What can I expect from the process?

Requests for advice will be allocated to officers according to the level of advice requested and the complexity of the proposal. Major schemes will normally be dealt with by a senior officer.

The Duty Planning Officer and general enquiries service will only answer the most basic of queries. The service is primarily aimed at assisting applicants and the public to understand the planning process and to direct them to the relevant pre-application advice service, relevant legislation and relevant policies.

The Do I Need Planning Permission enquiries will be dealt with by Planning Assistants/Assistant Planners and provide an informal view on whether permission would be required based on the details submitted.

The Pre-application Surgery is designed to provide a forum for discussion of proposals that have not been significantly advanced, whereby applicants would value a face to face discussion about the broad principles of developing a site. The surgeries will either be held in person or via video call. For detailed advice the 'Written Advice' services would need to be pursued and the outcome of a Surgery meeting may recommend pursuing the written services.

Specialist advice services will typically be provided by the Council's Tree Officer or the Historic Building Advisors. It should be noted that such advice will be provided in response to proposals for works. Arboricultural advice will not extend to an assessment of the health or soundness of a tree and will not cover those trees that are not 'protected' (i.e. within a conservation area or the subject of a Tree Preservation Order).

The various 'Written Advice' services are designed to provide more detailed feedback on specific proposals. The DINPP Service will provide you with an informal opinion as to whether planning permission is required for your proposal within 15 working days. In most other pre-application advice cases we will aim to provide a written reply or arrange a meeting within 20 working days from the date your request is accepted as complete, except for the more complex proposals where we may need to agree a longer timescale with you. We will endeavour to reply to householder enquiries quicker than this where possible. Where a meeting is held, a written account of the main points will be sent within 10 working days of the meeting. Our preferred method of written communication is via e-mail and this will be used where possible.

In the case of major development proposals, it may (at the officer's discretion) be necessary to consult statutory consultees and other groups prior to providing advice. In such cases, the pre application process may take longer in order that we are in a position to provide a comprehensive response.

The case officer (and development team where applicable) will assess the submitted information and will aim to provide you with constructive comments on the scheme in relation to the following so far as they are relevant:

- Relevant development plan policies and other Council strategies that may have a bearing on the proposal
- Site constraints, e.g. statutory designations such as conservation areas, AONB's, Tree Preservation Orders and other constraints including listed buildings, flood zones and rights of way.
- Relevant planning history
- The details of the proposal, i.e. the acceptability of the land use, design and amenity considerations and highways and access issues where appropriate
- Infrastructure requirements, including CIL, the need for affordable housing, open space, community facilities and ecological mitigation. Any other contributions that may be required by West Sussex County Council will need to be established directly with that Authority.

We will indicate the likely information requirements (plans and supporting details/studies) to assist with the validation of any subsequent planning application. We will also explain how the development management process operates, the consultation process, decision making arrangements including committee information and the likely timetable for assessment of a planning application.

A summary of the key elements to each part of the scheme is provided as guidance notes to the relevant application form.

What if a subsequent decision on an application does not follow the advice I was given?

Advice given will be based on the case officer's professional judgement and assessment of the information provided. Pre application advice whether favourable or not is given on a 'without prejudice' basis since the Council must on submission of an application go through the statutory procedures and formal consultations and assess the outcomes before a decision can be made. Whilst advice will be given in good faith, we cannot guarantee that a subsequent planning application will be successful. We nevertheless believe that pre application advice is an extremely important part of the planning process. Fees for pre application advice will not be refunded and do not affect any statutory planning application fee subsequently required.

What if I disagree with the advice received?

We recognise that you may not agree with the advice you receive and it remains open to you to reject the advice and submit a formal application for determination. You may pay a further reduced fee for an additional meeting in relation to advice previously given on a previous proposal. However, significant changes to a submitted enquiry may need to be the subject of a new enquiry and may require a further full fee.

Confidentiality and Freedom of Information

The advice we provide under this service is generally confidential until a related planning application is submitted and development proposals are publicly available. Under the Freedom of Information Act 2000 or Environmental Information Regulations 2004 we often receive requests to disclose advice we have provided, so from February 2017 we automatically publish any submitted documentation and advice we have provided once the related planning application is submitted. At that point there is normally no reason under the legislation to insist the pre application advice or related documentation is confidential.

We may continue to receive requests for advice to be disclosed at earlier stages, which will need to be assessed individually under the legislation. If you think there are sufficient reasons under the legislation that your request and advice should remain confidential at those earlier stages please advise us in writing of the reasons at the time of your request. We will not respond at the time of your request but will take it into account when deciding whether to release information earlier than usual.