

**PRE-PLANNING APPLICATION ADVICE – CHARGES AND PROCEDURES  
MAY 2016**

**Introduction**

This document provides guidance in respect of the Council's charges and procedures for pre-planning application advice.

The Council's planning officers currently devote considerable time and effort to offering pre-application advice, seeing it as a key part of delivering a good planning service, even though it is not a statutory duty. Many requests for advice, however, are of a speculative nature and do not lead to the submission of an application. Charging for pre application advice allows the Council to recover at least some of the costs incurred through this service. It is also considered that, by charging for pre application discussions, there will be an improvement in the quality of submissions and less ill thought out proposals. Additionally, it will formalise the current "Development Management" approach to pre-application discussions and will lead to internal efficiencies benefiting service delivery as well as efficiencies for the developer/applicant.

**Planning Committee(s) and Without Prejudice Advice**

The advice that officers give is without prejudice to the final decision made on a planning application. Some planning applications are determined by officers and some planning applications are determined by a planning committee (ie decisions made by elected Councillors). As part of the determination of the planning application members of the public will be consulted. Comments received from members of the public will be taken into account as part of the determination of the planning application and depending on what has been said may or may not be material planning considerations. You are therefore advised to discuss your proposals with all those that would be affected and in advance of submission of the planning application.

**When the Pre-planning application advice service should not be used (Lawful Development Certificates)**

The service should not be used for individuals who want confirmation that proposed development will or will not need planning permission (*ie for non householder proposals*). In these cases individuals should apply for a certificate of proposed development under Section 192 of the Town and Country Planning Act. The service should not be used for those individuals who want confirmation in respect of what is the lawful existing use of a building and/or land. In these cases individuals should apply for a Certificate of existing lawful use under Section 191 of the Town and Country Planning Act.

The Council's planning officers will continue to provide informal and without prejudice advice relating to whether a householder proposal does or does not need planning permission. The advice will be given in letter form. This is not legally binding. If householders would like legal confirmation that a proposal would not need planning

permission (and therefore would be immune from future enforcement action) they should consider applying for a lawful development certificate under Section 192 of the Town and Country Planning Act.

Further advice relating to the submission of lawful development certificates can be found at [www.planningportal.gov.uk](http://www.planningportal.gov.uk).

### **What do we charge for?**

We will charge for both written advice and for meetings at the same rate. We charge separately for follow up meetings/written advice. The follow up meeting/written advice fee relates to instances where advice (and a full fee) has already been received by the Council. Where pre-application advice has not been sought the full fee will be charged.

The charges are set out in the table below, and are inclusive of VAT

	<b>Significant Major' Development Proposals</b>	<b>'Major' Development proposals</b>	<b>'Minor' Development proposals</b>	<b>Advert Proposals</b>	<b>Householder</b>
Fixed Charge	£1,947	£1,221	£268 (Environmental Protection; Tree advice – additional £62 for each requested specialism)	£56	£76
Follow up Meetings /Written Advice	£966	£533	£133 (£31 for each requested specialism).	£46	£46

### **Viability**

For pre-application advice proposals that are contrary to policy and a proposal is being justified on the basis of viability there may be a requirement for enquirers to pay separately for the Council to get viability reports independently assessed by a qualified consultant surveyor/accountant. The Council will normally ask enquirers to pay the consultant direct and in advance of a pre-application advice response.

**“Significant Major”** development proposals include:

- 30 or more dwellings (for outline applications a density of 30 dwellings to the hectare will be applied)
- 2000 sq m or more of commercial floorspace
- 5 plus wind turbines

**“Major”** development proposals include:

- 10 or more dwellings
- Offices / Research / Business and light Industry >1000m<sup>2</sup> or >1 ha
- Heavy industry / manufacturing / storage and warehousing >1000m<sup>2</sup> or >1ha
- Retail distribution and servicing >1000m<sup>2</sup> or >1ha
- 1-4 wind turbines
- All other major developments

**“Minor”** development proposals include:

- Less than 10 dwellings
- Offices / Research / Business and light Industry <1000m<sup>2</sup> or <1 ha
- Heavy industry / manufacturing / storage and warehousing <1000m<sup>2</sup> or <1ha
- Changes of use / barn conversions
- Retail distribution and servicing <1000m<sup>2</sup> or <1ha
- All other minor developments including listed building & telecommunications proposals & discharge of condition proposals.

## **How to request a meeting**

### ***Householder Proposals***

The protocol for offering householder pre-application advice is different to that given for other applications. A meeting does not take place but instead customers are asked to complete a “householder enquiry” form and send it to the Local Planning Authority. Based on the information received the Local Planning Authority will endeavour to provide an in writing response within **28 days** of receipt of such forms. The advice given is without prejudice to the formal determination of any subsequent planning application.

Should householders not wish to use this service advice can be sought from the Planning Portal web site [www.planningportal.gov.uk](http://www.planningportal.gov.uk) using the “interactive house”. However, contact should still be made with Development Management to confirm if permitted development rights have or have not been removed from the property. In this regard please email [Devcontrol@warrington.gov.uk](mailto:Devcontrol@warrington.gov.uk) and officers will endeavour to provide a response within 10 working days.

### ***Other Proposals (excluding advertisement proposals where no meetings take place)***

In respect of all other planning applications requests for meetings should be made on the attached form downloadable from our website ([www.warrington.gov.uk](http://www.warrington.gov.uk)). The following information should also be submitted with the form:

- Site Location Plan at an appropriate scale (usually 1:1250 or 1:2500)
- Details of current use(s)
- Draft design and access statement / planning justification
- Photographs and/or sketch drawings of site and surroundings
- Draft/sketch drawings showing height and scale of development

- Draft/sketch drawings showing layout of development

**INFORMATION SHOULD BE SENT IN ELECTRONIC FORM WITH A COVERING LETTER BY EMAIL TO:-** Devcontrol@warrington.gov.uk

**OR BY POST TO:-** Development Control, Warrington Borough Council, New Town House, Buttermarket Street, Warrington, WA1 2NH

When all the appropriate information is submitted, you will be contacted within 14 working days of receiving the application to confirm receipt of the pre-application advice enquiry. **Officers will normally, and at least initially, send a response in writing rather than holding a meeting.** A response will normally be sent within 35 days of receipt (subject to staff availability/resources) of the pre-application advice enquiry unless a meeting has been requested.

If applicants specifically want a meeting this will normally take place after the initial pre-application advice letter has been sent. The meeting date will, where possible, be set within 21 days (depending on who needs to attend and staff availability) of the receipt of the request. Meetings will normally be held at New Town House in a private meeting room. Any request for specialist advice should be confirmed at the time the meeting is arranged and subject to their availability the necessary officers will be asked to attend.

### **How should the fee be paid?**

In order for officers to assess the pre-application proposal, consult interested parties there is a requirement to include the pre-application fee with the pre-application forms and accompanying information. The cheque should be made payable to Warrington Borough Council. Planning officers will not commence work until the fee has been received.

### **What service is provided?**

Once the fee has been paid and the meeting confirmed, a planning officer will be nominated as case officer and, prior to the meeting, will:

- Research the history of the site
- Consult relevant interested parties
- Undertake a site visit (where necessary)
- Identify and assess the prospective application against Council policies and standards
- Arrange and attend the meeting where specifically requested (NB Initially written responses are sent).

The case officer will:

Within **35 working days**, provide a detailed written response in the context of the plans provided and meeting discussions.

The written response will make it clear that any views or opinions expressed are given in good faith, without prejudice to the formal consideration of any planning application, and it shall also be made clear that subsequent alterations to local and national planning policies might affect the advice given and may affect the consideration of any applications, particularly if applications are submitted some length of time after pre-application

discussions take place.

### **Increase in Fees**

We introduced charging for our pre-application service back in 2013 and it's proved extremely popular. It's enabled us to provide high quality advice and ensure applicants understand the planning application process and any particular issues relating to their development proposals. The charges enable us to recover the costs incurred by our Planning Officers in operating this pre-application service.

As part of the pre-application service, specialist advice is often provided by key consultees - primarily from our Transport, Environmental Protection and Tree & Woodland teams. Our previous pre-application charges did not reflect our costs in providing this specialist advice.

To ensure we're able to continue providing a high quality and timely pre-application service, it has been necessary to increase our pre-application charges to cover the costs of this specialist advice. In introducing the additional charges, we've reviewed the overall charge for each category to ensure they remain competitive with neighbouring authorities.

The additional charges don't affect the Householder or Advertisement categories where specialist advice isn't required. For the minor category we're offering specialist advice as optional wherever possible.

The increase to pre-application charges came into effect from 1 May 2016.

In addition, our pre-application charges are subject to an annual increase in line with the Retail Price Index.

Please note that we've currently suspended our householder pre-application service due to short term resource issues but we're intending to resume this service from 1 June 2016.

### **Contact details**

For further information in regard to pre application discussions, you may contact us via:

Telephone: 01925 442819

Email: [Devcontrol@warrington.gov.uk](mailto:Devcontrol@warrington.gov.uk)