

Charges for Pre-Application Planning Advice - Guidance Note

The Benefits of Obtaining Pre-Application Planning Advice

Under the Local Government Act 2003 Scarborough Borough Council operates a scheme of charging for pre-application planning advice on certain types of development proposals. The charging regime relates to both meetings and written advice and it has been devised to ensure that the level of charges is proportionate to the scale of development.

The Council welcomes and encourages discussion before a developer submits an application. In order that the Council can provide this service to a consistent and high standard it has been decided that the cost of providing this service should, at least in part, be recovered directly and not fall as a general cost to the Council taxpayer. The current statutory planning fees do not cover the cost of pre-application planning advice.

The benefits of obtaining informal advice include the following:

- Understanding how national and local policies will be applied to development
- Assisting in the preparation of proposals before formal submission, which, if the advice is followed, should reduce any unexpected delays and be more likely to result in a positive outcome
- Enhance officer responses in terms of quality and timeliness
- Establish a degree of certainty to developers over their proposal
- Indicating those proposals that are completely unacceptable, so saving the cost of pursuing a formal application.
- Reducing the time spent by professional advisors in working up a proposal
- Identify if specialist input will be required
- Identify information to be submitted in support of applications, to avoid delays in validation.

Pre-Application Planning Advice Charging Categories

There are 4 categories of development as defined by Table 1 below and the subsequent notes. In each case there is a choice of two options; either written advice only, or a package of meeting(s), plus written advice. The charges all include VAT at 20%.

Table 1

	Category 1	Category 2	Category 3	Category 4
No. of Dwellings	50+	10-49	1-9	
Floor Area (non-residential or mixed)	2,000 sqm	1,000-1,999 sqm	100-999 sqm	Other minor development, (e.g.

Site Area	1 hectare +	0.2 to 1.0 hectare	0.1 to 0.2 hectare	household extensions) not included in Categories 1-3
Height (New buildings/structures only)	N/a	N/a	Over 12 m	
Charges for Meetings and written advice	Up to 3 meetings plus written advice	Up to 3 meetings plus written advice	Up to 2 meetings plus written advice	1 meeting plus written advice
	£800 + VAT= £960 total	£400 + VAT= £480 total	£180 + VAT= £216 total	£70 + VAT= £84 total
Charges for written advice only	£300 + VAT= £360 total	£200 + VAT= £240 total	£100 + VAT= £120 total	£50 + VAT= £60 total
Permitted Development Enquiry (to establish whether planning permission is required)				
£25 (no VAT)				

Notes

- Where a proposed development falls in more than one of the above categories, then the higher charge would be payable. (For example, if 40 dwellings are proposed on a site of 1.1 hectares then it would fall within Category 1 as the latter falls in the higher category).
- For avoidance of doubt, gross floor areas should be calculated and measured externally.
- The charges are applicable to new buildings/structures and changes of use of land and engineering operations where they fall within one of the above categories and require planning permission. They also apply to advice on determinations for telecommunications equipment.
- For changes of use of buildings (where no new development is proposed), Certificates of Lawful Development, material amendments to existing planning permissions, variation of conditions or Section 106 agreements and the development falls within Categories 1 or 2, then this will be charged in accordance with Category 3.
- The charges apply to advice received following the refusal or withdrawal of an application, and prior to the submission of new application.
- Where a meeting is requested for Category 4 development, this would normally be arranged as a 'planning surgery' meeting and the cost reflects this.
- Where a Planning Performance Agreement for major development proposals is completed, this may potentially allow developers to agree separate charging arrangements from those outlined in this guidance note, but the schedule above would nonetheless remain the default position.
- Where more than one letter of advice is required this will normally be charged in accordance with the applicable 'written advice only' charge.

- Where the package option is chosen and additional meetings are required, these would be charged pro rata as a proportion of the package charge. For example, a third meeting in Category 3 would cost £96, including VAT.

Payment can be made by cheque (payable to Scarborough Borough Council), while cash or card payments can be made at the Customer First reception. You can also make card payments over the phone to Planning Services. Please do not send cash in the post.

Services Exempt from Charges

There are a limited number of cases, where no fees would be payable, and these are set out below:

- Environmental Impact Assessment 'screening' and 'scoping' letters.
- Guidance solely relating to the required contents of an application, as opposed to its planning merits, unless a meeting is involved.
- Works solely relating to listed buildings, where planning permission is not required.
- For alterations, extensions, etc. to a dwelling house for the benefit of a registered disabled person (proof of disability must be provided along with the request for advice).
- In exceptional circumstances, an exemption from the charging schedule may be made, where in the opinion of the Council, there are potentially overriding strategic or socio-economic benefits. However, it is emphasised that this is at the discretion of the Council and may only apply to an initial meeting.
- When a meeting is held at the request of the Council.
- On rare occasions, Council officers may decide that providing advice is either unnecessary or inappropriate. In such circumstances, the submitted fee will be refunded. Except where too much money has been paid, refunds shall not be otherwise available.

Information Required

To ensure a high standard and consistent level of advice it is important that sufficient information is supplied by the person/organisation making the enquiry. In addition to the appropriate fee, this information should be provided before a meeting is arranged or written advice given. The level of detail required will in part depend on the type and size of the proposed development, but as a minimum the Council would encourage the following to be submitted with formal enquiries:

- The completed form available from the Council's offices and website (see link on the Pre-Application Advice webpage).
- A location plan (at a scale of 1:2500 or 1:1250) identifying the proposed site area.
- A proposed layout plan (at 1:500 or 1:200) showing how proposed buildings/uses would be located on the site and how access would be obtained
- A full description of the proposal, including details of the proposed uses, floor areas/ number of units and site area in hectares. (This information

will help both with any advice and establishing the level of charge applicable).

- Details of the site or building as it exists, including site layout and existing uses/floor areas
- Photographs of the site and its immediate surroundings
- Where applicable, elevations or indicative drawings of proposed buildings, so that the proposed massing and design can be understood and assessed.

The list above is not intended to be exhaustive and particularly on complex proposals more information may be of assistance. This will depend on circumstances, but it could include surveys/ initial assessments on matters such as trees, ecology, transport, flood risk or noise. Where guidance is sought on specific technical disciplines other than planning, this should be identified when the request for advice is submitted, so that where a meeting is to be held the appropriate participants can attend. If inadequate information is submitted then it may not be possible for officers to provide a full response.

It would be of assistance if documents are submitted in a format which is generally compatible with the Council's electronic requirements for planning applications. This includes Microsoft Word files and Portable Document Format (PDF) files.

The Service Provided

Once we have received a formal request for advice you will receive confirmation, including a unique reference number, which should be quoted in all correspondence. If the Council needs more information or has any queries it will contact you directly.

Once the Council has received and validated your request for planning advice it will seek to respond within its normal workflow processes and timescales. A case officer will be identified, although this does not preclude other Council officers attending any subsequent meetings which are arranged. Under normal circumstances the Council will seek to respond to written advice or set up the first meeting within 21 working days. However, the time taken to respond will in part depend on the complexity of the case, and where a meeting is requested, the availability of all relevant parties to attend may affect how quickly it can be set up.

In providing advice, the Council will seek to provide a comprehensive assessment of proposals. This may involve officers from other disciplines being present at meetings or providing input in any written advice. Whilst the Council will use its best endeavours to ensure that advice is provided on all matters for which it is sought, it should be noted that this may be reliant on outside agencies for professional guidance on certain matters, and as such, this input cannot always be guaranteed as part of the service.

The information which may typically be included in a written response prior to the submission of a planning application may include the following:

- Identification of any key planning policies and constraints which may affect the proposed development.

- A broad assessment of whether the principle of the proposed scheme and its detailed layout/design is acceptable or not, including reference to factors which require further investigation or could lead to the scheme being refused planning permission.
- In the event that planning permission is ultimately approved, clarification as to matters which may need to be addressed by a Section 106 legal agreement and/or planning conditions
- Any recommendations relating to pre-application community involvement
- Information required to validate an application.

Please Note

Any advice given by officers for pre-application enquiries does not indicate a formal decision by the council as Local Planning Authority. Any views or opinions are given in good faith, and to the best of ability, without prejudice to the formal consideration of any planning application. The final decision on any application can only be taken after the Council has consulted local people, statutory consultees and any other interested parties. In some cases the decision on a subsequent application will be taken by the Council's Planning and Development Committee, who may take a different view from the advice of their professional officers.

Any pre-application advice that has been provided will be carefully considered in reaching a decision or recommendation on an application; subject to the proviso that circumstances and information may change or come to light that could alter that position. Whilst the outcome of any application cannot be guaranteed, as a general rule, those schemes where pre-application advice is followed and, if appropriate, effective community involvement has taken place are less likely to be refused or delayed. The weight given to pre-application advice will decline over time.

How to make an enquiry

To make an enquiry under the pre-application advice procedure, please download the request form, attach all relevant information with the fee and send to:

Scarborough Borough Council
Planning Services
Town Hall
St Nicholas Street
Scarborough
YO11 2HG

If you have any queries please contact Planning Services:

Email: planning.services@scarborough.gov.uk

Tel: 01723 232323