

DACORUM BOROUGH COUNCIL
DEVELOPMENT MANAGEMENT

**PROTOCOL FOR CHARGING FOR
PLANNING PRE-APPLICATION AND
POST APPLICATION ADVICE**

November 2018



INTRODUCTION

What is Pre-Application Advice?

Pre-application advice is recognised as an important part of the planning process. Its objectives are to improve the quality of the applications submitted, with the aim of delivering quality outcomes to the benefit of the customer, the council and the community at large.


In line with the vast majority of local authorities Dacorum Borough Council has introduced a pre-application advice service, for which a fee is payable. To apply for pre planning application advice you will need to complete the online form linked below:

<https://eforms.dacorum.gov.uk/eforms/pay/planningpreapplication/>

What are the benefits of using the Council's pre-application advice service?

The Council's pre-application advice service offers an opportunity to meet a Planning Officer for an informal discussion before you submit an application. It can therefore provide an invaluable opportunity for you to discuss your proposals without needing to go to the full expense of submitting all the documents required for a full planning application.

Pre-application advice is also encouraged for the following reasons:

- We will verify the list of local and national requirements that the Planning Department will require in order to validate your application. This will reduce the likelihood of submitting invalid applications, saving time and expense.
 - The process will generally give more certainty and clarity at an early stage by identifying planning issues, policies and requirements before an application is submitted so that speedier decisions can be made.
 - Planning Officers will provide positive advice about improving schemes, not just advise whether they are likely to be supported.
 - It establishes whether a proposal is completely unacceptable to the Council which in turn may influence your decision whether to pursue the matter any further.
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FEES AND CHARGES

How much is the service?

Please see the following 'Category of Charges' for the full list of charges (please note that all fees below are inclusive of VAT):

	1. PRE-APPLICATION SERVICE	2. ADDITIONAL PRE-APPLICATION MEETING (per hour)	3. POST-APPLICATION SERVICE (per hour)
<u>PLANNING PERFORMANCE AGREEMENTS</u>	Please contact the Planning Department to discuss your requirements.		
<u>CATEGORY A</u> Significant Major Developments	£3,300	+ £660	£330
<u>CATEGORY B</u> Very Large Major Developments	£2,200	+ £440	£220
<u>CATEGORY C</u> Major Developments	£1,100	+ £220	£110
<u>CATEGORY D</u> Minor Developments	£330	+ £110	£83
<u>CATEGORY E</u> Minor Housing/ Commercial Developments	£165	+ £55	£55
<u>CATEGORY F</u> Householder applications	£72	+ £55	£28

*See following page for details of each category

What development is included within each Category?

Category A: Significant Major Developments - Where the number of residential units to be built is 75 or more, or where the number of residential units to be built is not given in the application, a site area of two hectares or more. For all other uses, a significant major development is one where the floor space to be built is 7,500 square metres or more, or where the site area is two hectares or more.

Category B: Very Large Major Developments - proposals of 25 to 74 residential units or more, and other uses at 2000 sq.m to 7,499 sq.m and any proposals on land between 1 ha and 1.99 ha in size.

Category C: Major Developments - proposals of 10 to 24 residential units or other uses at 1000 sq.m to 1999 sq.m and any proposals on land between 0.5 ha to 0.99 ha in size.

Category D: Minor Developments - proposals of 2 to 9 residential units and proposals not coming within any other category.

Category E: Minor Housing/ Commercial Developments – proposals of one residential unit (or replacement), erection of stables / agricultural buildings and any change of use, including proposals to convert buildings to residential. This category should also be used for queries about the lawfulness of a development, e.g. “Do I / Did I require planning permission / listed building consent for...?”.

Category F: Householder applications – developments within the plot of a domestic property including extensions, alterations, and other buildings to be used in connection with the property such as garages, games rooms and summer houses.

What is included in the above fees?

The fee constitutes the payment for planning advice from a qualified Planning Officer and a written report. For full details of the service provided, please refer to the relevant category of development. Please note that, as stated in the ‘Category of Charges’ there are additional charges for additional follow-up meetings (for example, should you wish to discuss amendments made in light of Officer’s original pre-application advice), and for post-decision advice following the grant or refusal of a planning application that requires a meeting or a written response.

What is a Planning Performance Agreement?

A planning performance agreement is a project management tool which Dacorum Borough Council authorities and applicants can use to agree timescales, actions and resources for handling particular applications. It should cover the pre-application and application stages but may also extend through to the post-application stage.

Planning performance agreements can be particularly useful in setting out an efficient and transparent process (with milestones) for determining large and/or complex planning applications.

Planning performance agreements are a very useful tool for the following reasons:

- It provides the applicant with a realistic, predictable and agreed timetable for the various stages of the planning process to be reached.
- A planning performance agreement provides a focus of pre-application discussions about the issues that will need to be addressed.
- They provide greater certainty, transparency and efficiency to the development of scheme proposals, the planning application assessment and decision making.
- Planning performance agreements provide an ideal opportunity for identifying the preferred approach to community engagement, including the identification of the communities to involve, the process of engagement and the best approach to incorporating their views.

Please do not hesitate to contact the Planning Department to discuss your requirements or to raise any questions you have regarding this service.

Are there any exemptions to paying a pre-application advice fee?

The fee for a householder proposal (Category F) relating to works required for a person(s) with a disability will be waived, subject to the Council receiving the appropriate documentation in addition to the application form, and subject to the proposal being required to create an access and/or provide for improved safety, health or comfort.

There are no other exemptions to the pre-application advice fees (for example, proposals from charitable organisations).

How can the fees be paid?

Payment of fees by credit or debit card will be required through the online submission form (found on the pre-application advice web page). Alternatively, should you submit your request other than by the online form, you can pay by cheque, which should be made payable to Dacorum Borough Council, or by calling Customer Services on 01442 228000 and asking for 'Payments'. When making this payment please make clear it relates to planning advice (and more specifically to pre-application advice if relevant) and to state the site address.

The payment of the correct relevant fee for the initial response must be received with your submitted documentation. Any subsequent charges required in the event of any subsequent meetings, etc., as deemed appropriate or necessary, will be dealt with at the appropriate time.


The fees set out in this guidance are applicable to the current financial year and will not be subject to variation.

Can fees be refunded?

Fees will only be refunded in circumstances where the amount paid exceeds the correct fee payable for the category of development for which advice has been sought.

What fees are payable if my proposals involve a Listed Building or are situated within a Conservation Area?

The fees listed within the Category of Charges are the same irrespective of the listed status of a building or whether a property is contained within a Conservation Area or not. For example, a proposal seeking to extend a listed building would pay the same category F fee as a non-listed building.



HOW THE SERVICE WORKS

What information / documents do I need to provide the Council?

The more information you give us about what you want to do, the more valuable and precise our advice will be. The following items are mandatory should you wish to use the pre-application advice service:

- A completed and signed 'Request for Planning Advice' form, containing:
- clear address for the site, preferably with the postcode,
- brief description of what you want to do — a 'two storey rear extension',
- confirmation of the advice level you require.
- The relevant fee to cover our costs of providing your advice.

In addition, to get the best out of the service, and in particular for developments falling within Categories A, B and C, we suggest you also send us more detailed information where you can, such as

- Sketched / scaled plan showing where your proposal would be on the site.
- Plans of what you want to do, no bigger than A3. These can be provided in sketch form, though plans drawn to metric scale with a scale bar on each page are helpful.
- Photographs showing the key features of the site.
- A list of any key issues which you require a specific response.

What happens to my request for pre-application advice?

We will acknowledge receipt of the request for pre-application advice by letter or e-mail, review the information submitted and request further information and/or additional payment of fee within 5 working days. In circumstances where insufficient information is provided to enable a quality response to be made or where an insufficient fee payment is received, no further action will be taken with the processing of the enquiry until the requisite information and/or fee is provided.

What level of service can I expect to receive?

The service we will provide in respect of pre-application enquiries will depend on whether the development falls within Categories A, B and C or within Categories D, E and F.

CATEGORIES A, B AND C

We will provide the pre-application service within 28 days of receipt of the request. However, in the case of more complex proposals, particularly Significant Major Developments (Category A) and Very Large Major Developments (Category B), the setting of timescales for providing a quality level response is more difficult to pre-determine. Therefore, in instances where the Council considers that further time is required to provide a full response, we will contact you to agree a mutually acceptable timeframe in which to provide the advice.

All proposals within Categories A-C will include a site visit, two meetings (one on site and a follow-up meeting in the Council offices) and a written report.

The written report will provide a detailed assessment of the development proposals, considering all aspects of the proposal and the relevant planning policies in turn. The report will explain in full the Council's view of the proposals submitted and discuss various options to resolve potential issues raised. The report will also provide a list of the Council's validation requirements.


CATEGORIES D, E AND F

We will provide the pre-application service within 28 days of receipt of the request.

All proposals within Categories D-F will include the potential of a site visit and one meeting (this will be at the discretion of the Planning Officer subject to the complexity of the pre-application request) and a written report.

If you feel that a meeting on site would be useful please contact the Planning Officer allocated to your request to discuss your requirements.

The written report will provide a summary assessment of the development proposals and key issues and policies associated with it. The report will explain in brief the Council's view of the proposals submitted and discuss various options to resolve potential issues raised. The report will also provide a list of the Council's validation requirements.



OTHER POINTS TO NOTE

Are applications for pre-application advice confidential?

Please be aware that Dacorum Borough Council is subject to requirements under the Freedom of Information Act 2000 and Environmental Information Regulations 2004. Where the Council receives a request to disclose any information in relation to this discussion, it will notify and consult with you concerning its possible release. However, the Council reserves the right, to disclose any such information it deems appropriate and shall be responsible for determining at its absolute discretion whether the information is exempt from disclosure in accordance with the FOIA or EIR.

What is the status of the advice received?

Although pre-application advice possibly forms a material consideration of a formal planning application, it does not constitute a formal or guaranteed outcome in the determination of a future planning application or other form of submission. Any views or opinions expressed are given in good faith, without prejudice to the formal consideration of any planning application, which will be subject to a period of public consultation and maybe decided at a Planning Committee.

Please also note that the weight given to pre-application advice will decline over time.

Can I receive advice regarding changes to a development that has been granted planning permission?

Yes. In most instances the Planning Case Officer who dealt with your planning application will be best placed to deal with any queries you have after a planning decision has been issued. A brief verbal discussion will not incur a fee.

However, should you require more detailed advice that requires either a meeting or a written response, then the fees in the third column of the 'Category of Charges' will apply.

Will the Council's advice incorporate the views from other departments / external organisations?

The advice provided will incorporate the views from other departments within Dacorum Borough Council, where relevant, such as Environmental Health, Trees & Woodlands, and Conservation.

It must be noted, however, that there are other external statutory bodies which you may wish to consult with about your proposal, some of which may have their own pre-application charges.

Hertfordshire County Council Highways:

The County Council welcomes and encourages discussions on the transport impacts of new development proposals before a developer submits a planning application.

[Hertfordshire County Council Highways pre-application advice](#)

Environment Agency:

The Environment Agency provides site-specific pre-application and post permission advice and would like to hear from you if your proposed development site:

- is in flood zones 2 or 3 (unless their Flood Risk Standing Advice applies)
- contains or is close to a 'main river'
- is on land affected by contamination
- handles waste or hazardous substances (including fuels & oils)

<https://www.gov.uk/guidance/developers-get-environmental-advice-on-your-planning-proposals>

Lead Local Flood Authority:

Hertfordshire County Council, as the Lead Local Flood Authority for Hertfordshire, has the role of managing flood risk from surface water and groundwater. They are also responsible for determining any works which could affect an ordinary watercourse.

<https://www.hertfordshire.gov.uk/services/recycling-waste-and-environment/water/managing-flood-risks.aspx>

Herts Environmental Records Centre:

They manage information on habitats, species and sites across the county.

<http://www.hercinfo.org.uk/>



Are there other sources of planning guidance?

Duty Planning Service

We offer a Duty Officer service. This service is by e-mail only and will only provide very limited advice, such as confirmation and direction to relevant national and local planning policies. This service does not include a site visit, a meeting, or any request requiring significant research to be undertaken by Planning Officers. Furthermore, any requests received through this service relating to a specific proposal on a particular site will be directed to the Council's pre-application advice service.

Planning Portal

The Planning Portal is the online planning resource for England and Wales. It contains links to Planning Practice Guidance, as well as 'Interactive Guides' for detached and terraced houses, which provides access to information on many common householder projects.

https://www.planningportal.co.uk/info/200125/do_you_need_permission