



Pre-application Planning Advice Guidance

January 2020

1. INTRODUCTION

1.1 Pre-application advice is considered vital and is encouraged wherever possible and is an important aspect of the planning process which can be of benefit to all parties involved. It can save time and money and should improve the quality of applications being submitted. It should also allow the Council to deal with applications promptly and provide applicants with a greater degree of certainty.

1.2 The benefits of pre application advice are:

- To advise at an early stage whether proposals would be likely to accord with the development plan
- To identify key issues and material planning considerations
- To try to overcome any possible reasons for refusing permission (where possible)
- To improve the quality of the applications submitted, speeding up the application process
- To improve customer care and satisfaction with the service, and
- To enable the council to use its limited resources in the most efficient manner.

1.3 Types of Pre-application advice

Telford & Wrekin Council offers a number of levels of pre application service, tailored to needs of the applicant.

1. **Verbal Advice for Householder Development ONLY:** Free informal planning advice based on the principles of development from a planning officer; made available through a pre-booked 15 minute appointment at Wellington Civic Offices.
2. **Permitted Development Confirmation:** The Council will provide written confirmation whether planning permission is or is not required for any development. A charge will apply.
3. **Pre application Written Advice:** The Council will consult internal technical specialists (all internal consultees that are involved with a planning application), the relevant Town/ Parish Councils and Councillors, and will provide a detailed written response to the applicant, including clarification on what information is necessary to support any future application. A charge will apply.

4. **Pre Application Workshops (PAW):** The Council will host an informal meeting between the internal technical specialists (all internal consultees that are involved with a planning application), and the applicant, agent and respective appointed consultants. In addition the relevant Town / Parish Councils and Councillors will be invited to provide written comments on the proposals. At the end of the process, the Council will provide a detailed written response to the applicant including the requirements for any application. This is most beneficial to large scale development. A charge will apply.

2. DETAILS

2.1 VERBAL ADVICE for Householder Development ONLY

This does not include advice on new or converted self-contained annexes

- 2.1.1 Providing the principles of development, informal verbal advice on planning issues is available from a planning officer, free of charge from Wellington Civic offices on an appointment only basis. Due to the size of the meeting space the appointment is for a maximum of 3 people only.

2.1.2 How to apply:

An appointment can be made through the Planning Contact Centre Tel. 01952 384555.

When booking the appointment the following information will be requested:

- a) Full address including postcode, and
- b) An accurate description of the proposal i.e. single storey side extension / detached garden shed.

2.1.3 What will be provided?

Verbal clarification of planning issues only, without any internal consultation of technical specialists. This is limited to one appointment per site of up to 15 minutes.

2.2 PERMITTED DEVELOPMENT CONFIRMATION

- 2.2.1 Written confirmation whether planning permission is required can be gained from the Council. This is not the same as a 'Lawful Development Certificate', which will undertake a formal process, but could be used as an informal alternative.

2.2.2 How to apply:

In order to request the permitted development confirmation the following information is required:

- a) A fully completed Permitted Development Form
- b) The appropriate fee
- c) Details of the proposal including dimensions and indicative sketches. Photos of the site may be helpful.

2.2.3 What will be provided?

A letter confirming whether planning permission is required. If planning permission is required full reasons why will be provided together with a brief assessment of the likelihood of consent being granted.

2.3 PRE-APPLICATION WRITTEN ADVICE

2.3.1 Suitable for a wide range of development, the Council will provide a detailed written response to any proposed development, including consultation responses, identifying key issues, and the likely recommendation to any application. In addition the Council will clarify what information is necessary to validate any application.

2.3.2 How to apply:

In order to request pre-application written advice the following information is required:

- a) A fully completed pre application advice form
- b) The appropriate fee (see Fee Schedule)
- c) A location plan of the site – with a red line around the edge the site and an indicative layout of the proposed development
- d) Any sketches/plans of the proposal
- e) Note of any existing features or building within or adjacent to the site that may be affected by the development i.e. trees, ponds, etc.
- f) A list of any key issues for which you require a specific response

2.3.3 What will be provided?

Following the validation of an enquiry, applicants will be notified of the planning case officer and their contact details will be provided.

2.3.4 The case officer will consult with all relevant internal technical specialists who make up the consultees that will be involved in any planning application and request their informal consultation responses, based on the information that has been provided. These make up the 'Development Team', and include the following disciplines: *Highways Development Management, Rights of Way, Conservation, Urban Design, Geotechnics, Drainage, Healthy Spaces, Education, Environmental Health, Ecology, Arboriculture, Strategic Housing, Legal, Building Control and Planning Policy.*

2.3.5 In addition the case officer will notify the relevant Town/Parish Council and elected Councillor, who may provide written comments outlining local issues that may come forward with any planning application.

- 2.3.6 At any time the officer may request further information/amendments to assist in preparing a response.
- 2.3.7 The Case officer will then prepare a report which sets out the details of any local polices, the key considerations, and any internal consultation responses. The report will assess the proposal considering the principle, the design, the impact on local amenities, highway safety, ground/environmental issues, and any necessary financial contributions or planning obligations that are necessary to make the development acceptable. The report will summarise if the officer can or cannot support the scheme, or if further information is required before a conclusion can be reached. Constructive feedback from all internal consultees and the case officer will be provided, with any potential solutions.
- 2.3.8 Validation requirements for any future planning application will also be provided, providing a clear list that will ensure the swift validation of any application, and processing of the application.

2.4 PRE-APPLICATION WORKSHOPS (PAW)

- 2.4.1 The Council will host an informal meeting with the applicant and internal technical specialists, in addition to inviting the relevant Town/Parish Councils and Councillors to provide written comments on the proposals. At the end of the process, the Council will provide a detailed written response to the proposed development and the requirements for any application. This process is most beneficial for large scale development.

2.4.2 How to apply:

In order to request the above service the following information is required:

1. A fully completed pre application advice form
2. The appropriate fee
3. A location plan of the site – with a red line around the edge the site and an indicative layout of the proposed development
4. Any sketches/plans of the proposal
5. Note of any existing features of building within or adjacent to the site that may be affected by the development i.e. trees, ponds, etc.
6. A list of any key issues for which you require a specific response

2.4.3 What will be provided?

The case officer will arrange a workshop with all relevant internal consultees, the applicant, agent and the respective consultants. This meeting will not include Town/Parish Council or Councillors, who will be invited to comment through written comments alone, unless requested by an applicant. The Case Officer will be contact within approximately 10 working days from receipt of the enquiry and all necessary information in order to agree a mutually agreeable date for the pre-application workshop.

2.4.4 Format of the workshop:

1. the applicant to present the outline of the proposed development,
2. case officer to provide initial consultee responses based on the submitted details,
3. round table discussion with disciplines on main issues,
4. agree programme to include timetable of future meetings and for a formal response,
5. each meeting is anticipated to last between one and two hours.

2.4.5 A formal response will not be issued at the end of each meeting, but at the end of the process, unless otherwise agreed. The response provided will be in the form of the pre application written report as detailed above.

2.4.6 This response will be issued within 15 working days of the final workshop.

3. CHARGES

3.1 The Council has recognised the significant costs associated with the provision of providing pre-application advice and seeks to recover a proportion of the cost to provide this service directly from the applicant.

3.2 A free verbal advice service is available for householder development, but where written advice is required, a charge is applicable. However, where written pre-application advice is requested for development where the planning application itself would not attract a fee, there will be no charge for the pre-application advice; this includes development that benefits a disabled person. Where a discount is applied to a planning application (Parish /Town Council applications) the charge for the pre application advice is also discounted. (For the avoidance of doubt Permitted Development Confirmation is not discounted).

3.3 Details of charges are set out in Appendix A. All of the charges are inclusive of VAT. Additional costs will apply when additional meetings are required, or site visits are requested.

- In cases where two fees may be applicable, the higher fee will be charged
- In cases involving mixed use developments falling within different categories, the fee will be based upon calculating the total for each element of the proposal.

3.4 Fees must be paid on submission of the request for advice. Payments can be made on line or over the phone by telephoning 01952 384555.

3.5 Please note where a fee has been submitted for advice without all the necessary information and the information is not received within 4 weeks of the original submission, the fee will be returned but £25 will be deducted for administration costs.

4. RESPONSE TIMES TO WRITTEN ADVICE

4.1 Responses to less complex types of enquiry will usually be made within 10 working days of receipt, as set out in Appendix A. However in more complex types of enquiry a response may

take longer in which case the officer will contact the applicant to agree a suitable timescale and the scope of advice required; this will be confirmed in a subsequent email.

5. CLOSURE OF ENQUIRIES

- 5.1 When a case officer completes a report and sends a written response, the pre-application files will be closed.
- 5.2 A request for further advice may be made by the same applicant within 6 weeks of this date, the file will be reopened and the associated fee will continue from the original request; however if more than 6 weeks has lapsed, a new file will be created and new fees will be required.
- 5.3 In some cases it may be necessary to request additional information before an officer can provide a detailed response to the enquiry. In such cases, the enquiry will be left open for a period of 12 weeks following the date of the request, and if the additional information is not received by this time the enquiry will be closed. If an enquiry is closed a new request must be made, and the associated application fee paid again.

6. SERVICE STANDARDS

- 6.1 Within 3 working days of receiving the request for written pre- application advice, the Council will contact the applicant to confirm:
- That the request for advice has been received
 - That the fee, if submitted/required with the form, is correct or if a fee has not been submitted with the form, what the fee is
 - Any additional information that is required before pre-application advice is offered
 - The name of the Planning Officer who will be providing the advice
- 6.2 Within 5 working days of receiving the request the planning officer will make contact and discuss the timetable for response.

7. DISCLAIMER

- 7.1 There are limits to the pre-application advice that can be given by officers as it is based on the information that is provided.
- 7.2 The pre-application advice service is not a passport to getting permission for unsuitable planning proposals, nor is it a guarantee of gaining permission. The advice offered is on an informal basis and cannot be appealed.
- 7.3 The final decision on planning applications is made by elected members at Planning Committee or senior officers through Delegated procedures. It can only be taken once a

formal planning application has been received and consultations have been carried out with statutory and general consultees and other interested parties. Applicants should therefore be aware that whilst officers will endeavour to give the most appropriate and accurate advice possible any pre application advice is not legally binding and does not prejudice any future decision that the Council may take and that Council officers are unable to give any guarantees about the decision that will be made on an application.

- 7.4 Formal planning applications will be the subject of publicity and consultation in accordance with the Council's procedures. Applicants should also be aware that as a result of formal consultation on an application, there may be other matters which may come to light that could result in additional issues being raised that are relevant to the outcome of the application or require additional information to be provided to the local planning authority. Applicants should also be aware that material considerations may change from the point that the pre-application advice is given; this includes new national policy or guidance, emerging local plans, neighbourhood plans, and planning appeal decisions.

8. COMPLAINTS

- 8.1 The Council cannot guarantee that applicants will agree with the advice received. Most matters within planning are based on interpretation of policy and/or case law and in most cases, it is differences of opinion rather than factual errors that give rise to disagreement, and these can only be resolved through the formal planning process. However, if you feel that something has gone wrong, please explain to the officer involved, as he or she may be able to clarify the situation further.

9. FREEDOM OF INFORMATION

- 9.1 Enquiries, together with any response made by the Council, will be made available to the public unless applicants confirm in writing that the information provided is commercially sensitive, by completing the commercially sensitive material checklist (Appendix B). If the local planning authority receives a request, under the Freedom of Information Act (FOI) or Environmental Information Regulations (EIR), to show information relating to pre-application questions they are obliged to do so unless the information is exempt under the Act.
- 9.2 The Council can only withhold information under FOI or EIR if the information falls under one of the exemptions (FOI) or exceptions (EIR) set out in legislation. For certain pre-application issues the applicant would be advised to complete the commercially sensitive checklist that should set out the reasons why, and for how long, they feel any information relating to the case needs to remain confidential. However, whilst the Council will take account of these views, the final decision on whether the information should be withheld rests with the Council. The Council maintains compliance to the Data Protection Act and we will not release any personal information to third parties

Appendix B: Commercially Sensitive Material Checklist

Commercially Sensitive Material Checklist

This form should be submitted with all pre-applications to indicate areas of your submission that you consider to be commercially sensitive.

Commercially sensitive documents not for disclosure to third parties under the Freedom of Information Act 2000 (FOI) or Environmental Information Regulations 2004 (EIR)

Name of Organisation

The authority may be obliged to disclose information in or relating to this pre-application enquiry following a request for information under the FOI or EIR therefore please outline in the table below items which you consider are confidential and genuinely commercially sensitive and which are not for disclosure in respect of your application.

Information / Document	Reference / Page No.	Reasons for non-disclosure (cite exemption(s) to be considered)	Duration of confidentiality

The applicant acknowledges that the commercially sensitive information listed in this schedule is of indicative value only and the authority may be obliged to disclose it pursuant to a request under the FOI or EIR.

The authority shall act reasonably and use its discretion when making a decision to release or withhold information pertaining to the above if it is requested. By indicating what information you believe to be commercially sensitive the Council will consider your views however the authority will make the final decision to disclose information or not.

Note: To be kept with the pre-application correspondence for consideration should a request for information under the Freedom of Information Act 2000 or Environmental Information Regulations 2004 be received. This document can be destroyed in line with the retention and destruction schedule of pre-application enquiries.