

Guidance Notes for the Submission of Pre-application Enquiries

What are Pre-application enquiries?

Pre-application enquiries are detailed discussions relating to proposed developments that take place ahead of the submission of a formal planning application. The Borough Council of King's Lynn and West Norfolk welcomes pre-application discussions, which are encouraged in national guidance as a means of dealing with any issues at the first stage of a proposed development. In theory this will help deal with potential issues which should help the development when a formal application is submitted.

From a customer's perspective, the following are potential benefits in using the system:

- Specific service standards relating to the pre-application system
- An enhanced level of service
- An early understanding of the issues associated with your potential development
- It could potentially save time if issues are identified and dealt with at this early stage
- It will ensure that all the necessary information required to accompany an application is identified

Many Local Authorities are now charging for this discretionary service, to reflect the time and resources put into the system. The Borough Council offers both a full pre-application service, which includes consultations with other technical statutory and non-statutory bodies, and a pre-application service with no consultations, which is limited to officer interpretation of policy & the details of the proposal (i.e. design, scale), without undertaking any consultations.

How much will this cost?

The charging structure, effective from **1 March 2011** (amended October 2012) is set out below.

- a) All proposed development (excluding the exemptions) – will be charged at 20% of the planning application fee plus VAT
- b) For a pre-application enquiry with no consultation, the cost will be 15% of the planning application fee plus VAT
- c) Fees for pre-applications on large-scale major developments will be negotiated on a case by case basis, with the written agreement of the Executive Director – Development & Regeneration required, along with consultation with the relevant portfolio holder
- d) Minimum charge – a minimum charge of £50 plus VAT will be charged for the provision of all types of pre-application advice
- e) Meetings - all pre-application enquiries relating to 'major' development will include one meeting with officers. Additional meetings for 'major' development will be charged at £100 plus VAT, and meetings associated with other development will be charged at £50 plus VAT per meeting.

- f) Post-Advice Meetings – one meeting, within three months of the date of the advice, to discuss amendment(s), can be arranged and will be charged at £100 + VAT for Major development and £50 + VAT for all other development.

Is there any development exempt from the charges?

Yes. A few types of development will not be subject to a charge for advice. These are:

- listed building and conservation area consent applications/queries
- ‘minor’ development proposals submitted by Parish Councils, and by community and voluntary organisations in connection with their service to local communities,
- proposed ‘care and repair’ developments

Do I have to use the pre-application service? If I don’t use the service will I still be able to obtain planning advice?

The Borough Council will still offer a basic level of service free of charge, which would give customers access to basic information to allow them to identify some broad principles/issues associated with their developments. This would provide :

- the requirements to submit an application
- where to look to obtain policy information
- an indication of any potential specialist advice that may be required

Most of this advice will be available on the Council’s website at www.west-norfolk.gov.uk. In addition it is of note that there will still be a ‘duty planner’ system in place, where customers can call by telephone or come into the office to get a basic level of verbal advice from an officer of the Council.

What level of service can I expect?

The service standards will be as follows:

- we will register your pre-application within 3 working days maximum, and contact you to confirm either:
 - that more information is required, specifying that information; or
 - that the application has been registered and a date specifying when your decision is due will also be provided
- we will contact you within 7 working days where relevant to arrange the meeting associated with your pre-application enquiry. Notes of a meeting will be confirmed following the meeting;
- an officer site visit will normally take place within 10 working days;

- for 'major' developments one meeting with the case officer would be included within the fee but for other developments a meeting (or an extra meeting on 'major' proposals) would incur an increased fee
- details of the proposed development will be sent to consultees within 5 days of registration. *Note that the Local Planning Authority cannot control response times from third party consultees & any response may have to follow. It should also be noted that the County Highway Authority is considering charging for informal advice relating to certain types of major development proposals*
- a full written response within 30 working days of registration, or 20 working days for a no consultation pre-application enquiry, will be provided unless another timescale has been agreed between the parties, which may result in more comprehensive and useful advice
- For a no consultation pre-application service, we will not carry out any consultations and will only provide the Local Planning Authority's views on the specifics of the proposal i.e. design/layout and policy compatibility. Any third party comments made in the event of an application, for example from the County Highway Authority or the Environment Agency, could of course change any recommendation depending on their significance.
- If a meeting is requested for a no consultation pre-application enquiry, we will endeavour to hold a meeting and formulate a response within the required time, although given the reduced timescale this may sometimes be difficult to achieve.

What do I need to provide?

To give us a suitably comprehensive level of information, which will be in your best interests because it will allow a more informed response, you should provide the following as a minimum:

- A completed pre-application request form, which is available to download on our website
- A site location plan with the site outlined in red & other neighbouring land outlined in blue, at scale of 1:1250 or 1:2500
- A block plan showing the proposed layout of the site at 1:200 or 1:500
- A full description of the nature of the development, including scale and uses proposed
- For full or reserved matter applications, as a minimum sketch proposals would be required. Properly scaled floor plans and elevations will of course enable a more accurate response.
- Other information to help explain the scheme, for example draft design and access statement, photographs, street scenes, relevant site history etc.

What will the Council's advice cover?

The Council's advice will cover the following items:

- the requirements to allow a valid application to be registered

- the planning history of the site
- the statutory fee required
- statutory designations and site constraints (conservation areas, listed buildings, SSSI's etc.)
- the relevant planning policy context
- An assessment against planning policy
- An assessment identifying any other material considerations
- Potential developer contributions
- Potential changes to improve the scheme and if possible overcome objections
- An indication of the likely recommendation of officers
- any relevant comments from the Council's internal consultees i.e Environmental Health, Housing, Conservation
- where received the views of key external agencies or advice on any key external specialists
- **Important : Please note that for a no consultation pre-application enquiry there will be no comments included from relevant consultees, external and internal, which could be important in any recommendation should a formal application be submitted.**

Post-Advice Meeting to Discuss Amendment(s)

One meeting can be arranged, following the issue of advice to discuss amendment(s). The meeting must be within three months of the date of the advice.

If you would like to take advantage of this service, please provide the following information:

- A request for a meeting in writing
- Fee: £100 +VAT for Major development or £50 + VAT for all other development
- Details showing the amendment(s)

We will contact you within 7 working days to arrange a meeting.

Written notes of the meeting will be provided within 7 working days from the date of the meeting.

Notes:

Important disclaimer

1. You should be aware that any pre-application advice provided by the Local Planning Authority is made at officer level only, and does not constitute a formal decision of the Council. Any views or opinions expressed, are given without prejudice to the consideration by the Council of any formal planning application, which will be subject to wider consultation and publicity. Although the case officer may indicate the likely outcome of a formal planning application from their professional point of view, no guarantees can or will be given about the decision that will be made on any such application.
2. It should be noted that policies, constraints etc. change from time to time and may affect the advice given. The weight that can be given to pre-application advice will therefore decline over time
3. The provisions of The Freedom of Information Act bind the Council, as a public authority, and therefore it should be presumed that information supplied to the Council is likely to be disclosed under the above Act. If you want information to remain confidential, you should state clearly why. Information sent to the Council “in confidence” may still be disclosed under the above Act. Before sending such information you are advised to take legal advice if there are fears that disclosure would prejudice you in some commercial way.
4. How we hold and use your personal data to meet the requirements of the General Data Protection Regulations relating to Pre-Application Advice is set out on the reverse of the application forms and contained within our [Privacy Notice](#)
5. Major, minor and other development is as defined by central government. For clarity large-scale major development covers:
 1. 200 or more dwellings
 2. industrial/commercial/retail uses : floorspace of 10,000 msq. or more
 3. if number of dwellings or floorspace not known – site area of 4 hectares or more
 4. uses other than 2. above: 10,000msq. Floorspace or site area more than 2 hectares