



Planning Advice Service and Charges

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Introduction

The Council is committed to providing an efficient and effective planning service and to work proactively with applicants to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.

A key part of this is the provision of pre-application planning advice. The National Planning Policy Framework (NPPF) recognises that “early engagement has significant potential to improve the efficiency and effectiveness of the planning application system for all parties” and that “good quality pre-application discussion enables better co-ordination between public and private resources and improved outcomes to the community.

The benefits of good quality planning advice include:

- It explains how plans, policies and other requirements affect your proposal;
- It identifies at an early stage any need for specialist advice or issues that need to be addressed and indicates any third party organisations you should seek advice from;
- It identifies at an early stage where amendments may improve the proposals;
- It helps you prepare your planning application and ensures that all the necessary plans and supporting documents are submitted with your planning application;
- It gives an indication of the likely requirement for contributions to be made by the developer (e.g. levels of affordable housing, play areas or sustainable travel contributions);
- It can reduce the time that you and your professional staff / consultants spend on working up your proposals;
- It highlights potentially unacceptable proposals saving you the time and cost of submitting a formal application;
- Providing you take all the advice into account it means your application can be assessed without any unnecessary delay.

Although it can add considerable value to the planning process the provision of pre-application advice is a non-statutory part of the service provided by the Council. To assist the Council to continue to provide high quality planning advice the Council has decided to charge a fee for some pre-application advice and other advice provided by the Planning Service. These charges are made in accordance with the provisions of Local Government Act 2003.

The Council continues to provide a range of free planning advice including via the Council's website www.allerdale.gov.uk

The full range of advice services provided and the fees associated with these are set out in the following document.

Points to note

- Whilst we always aim to provide an impartial and professional response to all enquiries any advice given by officers during pre-application discussions cannot prejudice the Council's final decision on your proposal when a planning application is submitted. All planning applications will be subject to consultation with the public and statutory consultees and may be subject to consideration by the Council's Development Panel.
- The level of advice that you receive will be based on the level of information that you submit to us. The more information that you can provide about your proposal the more comprehensive the advice you will receive.
- Whilst accurate and up-to-date advice will be provided it should be noted that planning legislation, policy and guidance can change over time and this might affect the advice given. It is therefore prudent to act in a timely manner following the receipt of advice. We will endeavour to advise you of any potential changes we are aware of at the time of your enquiry that may affect your proposal.
- Whilst we will seek to identify statutory consultees that should be consulted in respect of your proposals we cannot provide advice on their behalf. Statutory consultees e.g. the Environment Agency may have their own procedures and charges for giving pre-application advice which you may have to pay in addition to the fee for the advice we provide. .
- Whilst we can provide advice that will assist you in developing the design for your proposals we cannot assist in the drawing up of plans.
- Our pre-application advice service relates only to issues associated with the planning requirements for the development. Whilst we will endeavour to highlight where additional consents may be required e.g. building regulations approval, you will be responsible for seeking your own advice on all other consents that may be required.
- We cannot advise on any legal covenants or other matters which may impact on your proposal.

Confidentiality

We will normally treat all pre-application enquiries confidentially until a planning application is submitted. However, the Freedom of Information Act 2000 includes a presumption in favour of disclosure of information, including pre-application discussions, unless such disclosure would cause adverse impacts. This may mean we have to reveal the details of your enquiry, and the advice given, if a request is received under the Freedom of Information Act. If you have a reason for requesting that your enquiry should remain confidential, for example on the grounds of commercial confidentiality, please let us know prior to your pre-application enquiry being submitted.

How to Apply and Pay

Pre-application enquiries can be submitted online via our website or by email to planning@allerdale.gov.uk

We cannot provide a response to your enquiry until payment has been received where required. The fee payable includes VAT.

We do not accept cash payments but card payments can be made using our website or by telephone.

Our Free Planning Advice Service

Online

General pre-application advice is available via our website www.allerdale.gov.uk

The advice that can be accessed via our website includes the following areas:

Find out about permitted development and whether you need planning permission.

Not all development requires planning permission with a range of developments falling within the scope of 'permitted development'. A series of guides can be accessed via our website to assist you in assessing whether your proposals require planning permission. An interactive guide provided by the Planning Portal is also available at: www.planningportal.gov.uk/permission

Find out about how to submit a planning application and what information you will need to submit.

Guidance on the main types of planning application, the forms you will need to complete and the fee required can be accessed via the website at:

<http://www.allerdale.gov.uk/planning-and-buildings/planning/planning-applications/submitting-an-application.aspx>

Guidance on our Planning Validation Requirements and associated checklists can be found at:

http://www.allerdale.gov.uk/downloads/Validation_Requirements_Dec_2015.pdf

Planning applications can be submitted online via the Planning Portal:

www.planningportal.gov.uk

Find out about planning policy

The policies set out in the Allerdale Local Plan provide the starting point for the assessment of planning applications. Details of the Local Plan can be found at:

<http://www.allerdale.gov.uk/planning-and-buildings/planning/planning-policy.aspx>

National planning policy is set out in the National Planning Policy Framework (NPPF). The NPPF and related guidance can be found at:

<http://planningguidance.communities.gov.uk/>

Find out about planning constraints

In considering planning applications there are a number of area based constraints that need to be taken into account when assessing planning applications: These include:

- Listed Buildings
- Conservation Areas
- Tree Preservation Orders
- Article 4 Directions (an area where some 'permitted development' rights have been withdrawn)

You can use our 'my property' search tool to identify any constraints that may impact on your property or proposed development. This can be found on the website at:

<http://www.allerdale.gov.uk/planning-and-buildings/my-property.aspx>

Details of whether your property lies within a flood risk area and whether a flood risk assessment is required to be submitted with a planning application can be found by using the Environment Agency website:

<https://www.gov.uk/government/organisations/environment-agency>

Telephone and Face-to-Face Advice

General planning advice covering the areas outlined above can be obtained by calling 01900 702082 or by visiting our offices at Allerdale House, Workington, Cumbria CA14 3YJ.

Our opening hours are Monday-Thursday 8.45am – 5pm and Friday 8.45am to 4.30pm.

Our Planning Advice Service

Should you require advice relating to a specific development proposal or site the Council provides a range of advice depending on the type of development proposed.

Certificates of Lawful Use or Development

By using the information available via our website it should in most cases be possible for you to determine whether your proposals qualify as permitted development. In some cases however you may wish to seek formal confirmation that your proposals are permitted development.

If you require formal written confirmation that planning permission is not required for a proposed development e.g. that it falls within the scope of permitted development, it will be necessary for you to apply for a Certificate of Lawful Proposed Use or Development.

If you require formal written confirmation that an existing development did not require planning permission, or is immune from enforcement action e.g. due to the time elapsed since the development was completed, it will be necessary for you to apply for a Certificate of Lawful Existing Use or Development. Details of how to apply can be found on our website.

The grant of a Certificate of Lawful Use or Development provides proof that the development is lawful. This can be beneficial if, for example, in the future you wish to sell your property and need to answer queries from a potential buyer or their legal representatives.

The fee for this type of application falls within the scope of the Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations.

Householder Pre-Application Advice Service

This service is aimed at local residents who wish to carry out works to extend their homes or carry out other works at the property, including where the property concerned is a listed building. This could include building an extension, garage or outbuilding.

What we will provide?

- The case officer will normally visit the site to assess the proposal. This will usually be unaccompanied where the proposed works are visible from public viewpoints but if necessary the case officer will contact you to make an appointment to visit the site.

We will normally provide a written response to cover the following:

- We will advise you of any planning history (i.e. previous planning applications) that may be relevant to your proposals.
- We will advise you whether your proposals are likely to be acceptable or suggest any amendments that may be required to improve them. This will include reference to any relevant planning policies and guidance.
- We will advise you of any other organisations you may need to consult prior to submitting a planning application.
- We will confirm the drawings, supporting information and application fee required to validate and assess your planning application.
- We will advise you of any related consents that may be required e.g. listed building consent.

If you would like a meeting with a planning officer to discuss the proposals this can normally be arranged and will be held before a written response is provided. The meeting can be held on site or at the Council offices.

What do we require from you?

You should complete our Householder Pre-application Enquiry Form which ensures we have all the information necessary for us to consider your proposal. This includes:

- Your contact details including contact phone number and email address;
- The address of the property, and if possible a location plan;
- A brief description of the proposed development;
- Sketch plans, drawn to scale if possible, but as a minimum dimensions should be clearly marked.

- Photographs of the property if available.
- Confirmation as to whether a meeting is required.

Your enquiry should be submitted by email – planning@allerdale.gov.uk.

We cannot begin to assess your proposals until the relevant fee has been received.

Conversion of agricultural buildings in the open countryside for housing, holiday or commercial use. But excludes agricultural building conversion proposals within the settlement limit.

What will this cost?

The current fees for householder pre-application enquiries are:

- Written advice = £61.80
- Meeting and written advice = £103.00

If a revised enquiry is submitted within 3 months of our response to an initial enquiry (e.g. to address concerns identified in the initial advice) a discounted fee of 50% applies.

How long will this take?

When we receive your enquiry and fee we will acknowledge receipt within 3 working days.

We will normally provide a full written response within 20 working days.

If a meeting is required this will normally be arranged within 15 working days and a full written response provided within 5 working days following the meeting.

If this is not possible we will let you know why this is the case.

How we will contact you

We may contact you by telephone to make arrangements to arrange a meeting or visit the site. We will normally provide our detailed written response by email.

Points to note

Before you contact us in relation to any proposal to extend or alter your property we recommend that you first discuss the proposals with your neighbours as this may help to avoid any confusion or objections later in the formal application process when your neighbours are consulted as part of the process. You may also require your neighbours agreement under the Party Wall Act.

Minor Development Pre-Application Advice Service

Minor development is considered to be:

- Residential development of 1-9 dwellings or outline area less than 0.5 hectares.
- Non-residential development of less than 1,000m² floor area
- Agricultural development
- Single domestic or farm scale wind turbines
- Solar park development of less than 1 hectare
- Changes of use
- Telecommunications development
- Advertisements

What we will provide?

- The case officer will normally visit the site to assess the proposal. This will usually be unaccompanied where the proposed works are visible from public viewpoints but if necessary the case officer will contact you to make an appointment to visit the site.

We will normally provide a written response to cover the following:

- We will advise you of any planning history (i.e. previous planning applications) that may be relevant to your proposals.
- We will advise you of any relevant development plan policies that should be taken into consideration in the development of your proposals.
- We will advise you of any site constraints that may impact on your proposals such as Conservation Areas, Listed Buildings, Tree Preservation Orders, Sites of Nature Conservation Interest etc.
- We will advise you of any other organisations you may need to consult prior to submitting a planning application.
- We will advise you whether your proposals are likely to be acceptable or suggest any amendments that may be required to improve them.
- Where we are unable to offer a view as to the likely outcome of a planning application where, for example, further detailed information or analysis is required which will be fundamental to the acceptability of the proposal (such as a Flood Risk Assessment) we will advise you accordingly.
- We will confirm the drawings, supporting information and application fee

required to validate and assess your planning application.

If you would like a meeting with a planning officer to discuss the proposals this can normally be arranged and will be held before a written response is provided. The meeting can be held on site or at the Council offices.

What do we require from you?

You should complete our Minor Development Pre-application Enquiry Form which ensures we have all the information necessary for us to consider your proposal. This includes:

- Your contact details including contact phone number and email address;
- The address of the site, location plan and if possible an existing site plan showing details of existing buildings, access, parking, trees and hedgerows;
- A brief description of the proposed development;
- Indicative plans of the proposed development, showing access, layout, parking and where appropriate indicative elevation drawings. These plans should be drawn to scale if possible, but as a minimum dimensions should be clearly marked.
- Any other supporting information you may have available.
- Photographs of the site if available.

Your enquiry should be submitted by email – planning@alldale.gov.uk. We cannot begin to assess your proposals until the relevant fee has been received.

What will this cost?

The current fees for a minor development pre-application enquiry are;

- Written advice = £272.94
- Meeting and written advice = £320.34

If a revised enquiry is submitted within 3 months of our response to an initial enquiry (e.g. to address concerns identified in the initial advice) a discounted fee of 50% applies.

How long will this take?

When we receive your enquiry and fee we will acknowledge receipt within 3 working days.

We will normally provide a full written response within 20 working days.

If a meeting is required this will normally be arranged within 15 working days and a full written response provided within 5 working days following the meeting.

If this is not possible we will let you know why this is the case.

How we will contact you

We may contact you by telephone to make arrangements to visit the site. We will normally provide our detailed written response by email.

Major Development Pre-Application Advice Service

Major development is considered to be:

- Residential development of 10 to 49 or more dwellings or outline area between 0.5-2 hectares.
- Non-residential development of 1,000m² to 2,000m² or more floor area
- Commercial wind turbine development of 1-2 turbines
- Solar park development of between 1-2 hectares

What we will provide?

- The case officers will normally visit the site to assess the proposal. This will usually be unaccompanied where the proposed works are visible from public viewpoints but if necessary the case officer will contact you to make an appointment to visit the site.

We will normally provide a written response to cover the following:

- We will advise you of any planning history (i.e. previous planning applications) that may be relevant to your proposals.
- We will advise you of any relevant development plan policies that should be taken into consideration in the development of your proposals.
- We will advise you of any site constraints that may impact on your proposals such as Conservation Areas, Listed Buildings, Tree Preservation Orders, Sites of Nature Conservation Interest etc.
- We will advise you of any other organisations you may need to consult prior to submitting a planning application.
- We will advise you whether your proposals are likely to be acceptable or suggest any amendments that may be required to improve them.
- Where we are unable to offer a view as to the likely outcome of a planning application where, for example, further detailed information or analysis is required which will be fundamental to the acceptability of the proposal (such as a Flood Risk Assessment) we will advise you accordingly.
- We will confirm the drawings, supporting information and application fee required to validate and assess your planning application.

If you would like a meeting with a planning officer to discuss the proposals this can normally be arranged and will be held before a written response is provided. The meeting can be held on site or at the Council offices. Subsequent follow up meetings can also be arranged if required.

What do we require from you?

You should complete our Major Development Pre-application Enquiry Form which ensures we have all the information necessary for us to consider your proposal. This includes:

- Your contact details including contact phone number and email address;
- The address of the site, location plan and if possible an existing site plan showing details of existing buildings, access, parking, trees and hedgerows;
- A brief description of the proposed development;
- Indicative plans of the proposed development, showing access, layout, parking and where appropriate indicative elevation drawings. These plans should be drawn to scale.
- Any other supporting information you may have available e.g. draft design and access statement, ground investigation or ecological assessments.
- Photographs of the site if available.

Your enquiry should be submitted by email – planning@allderdale.gov.uk. We cannot begin to assess your proposals until the relevant fee has been received.

What will this cost?

The current fees for a major development pre-application enquiry are;

- Written advice = £401.70
- Meeting and written advice = £540.76
- Additional meetings and written confirmation of further advice = £287.38

How long will this take?

When we receive your enquiry and fee we will acknowledge receipt within 3 working days.

We will normally provide a full written response within 20 working days.

If a meeting is required this will normally be arranged within 15 working days and a full written response provided within 5 working days following the meeting.

If this is not possible we will let you know why this is the case.

How we will contact you

We may contact you by telephone to make arrangements to visit the site. We will normally provide our detailed written response by email.

Significant Major Development Pre-Application Advice Service

Significant major development is considered to be:

- Residential development of 50 or more dwellings or outline area greater than 2 hectares.
- Non-residential development of 2,000m² or more floor area
- Commercial wind turbine development of 3 or more turbines
- Solar park development of greater than 2 hectares

What we will provide?

- The case officer will normally visit the site to assess the proposal. This will usually be unaccompanied where the proposed works are visible from public viewpoints but if necessary the case officer will contact you to make an appointment to visit the site.

We will normally provide a written response to cover the following:

- We will advise you of any planning history (i.e. previous planning applications) that may be relevant to your proposals.
- We will advise you of any relevant development plan policies that should be taken into consideration in the development of your proposals.
- We will advise you of any site constraints that may impact on your proposals such as Conservation Areas, Listed Buildings, Tree Preservation Orders, Sites of Nature Conservation Interest etc.
- We will advise you of any other organisations you may need to consult prior to submitting a planning application.
- We will advise you whether your proposals are likely to be acceptable or suggest any amendments that may be required to improve them.
- Where we are unable to offer a view as to the likely outcome of a planning application where, for example, further detailed information or analysis is required which will be fundamental to the acceptability of the proposal (such as a Flood Risk Assessment) we will advise you accordingly.
- We will confirm the drawings, supporting information and application fee required to validate and assess your planning application.

If you would like a meeting with a planning officer to discuss the proposals this can normally be arranged and will be held before a written response is provided. The meeting can be held on site or at the Council offices. Subsequent follow up meetings can also be arranged if required.

What do we require from you?

You should complete our Major Development Pre-application Enquiry Form which ensures we have all the information necessary for us to consider your proposal. This includes:

- Your contact details including contact phone number and email address;
- The address of the site, location plan and if possible an existing site plan showing details of existing buildings, access, parking, trees and hedgerows;
- A brief description of the proposed development;
- Indicative plans of the proposed development, showing access, layout, parking and where appropriate indicative elevation drawings. These plans should be drawn to scale.
- Any other supporting information you may have available e.g. draft design and access statement, ground investigation or ecological assessments.
- Photographs of the site if available.

Your enquiry should be submitted by email – planning@alldale.gov.uk. We cannot begin to assess your proposals until the relevant fee has been received.

What will this cost?

The current fees for a significant major development pre-application enquiry are;

- Written advice = £540.76
- Meeting and written advice = £679.80
- Additional meetings and written confirmation of further advice = £295.99

How long will this take?

When we receive your enquiry and fee we will acknowledge receipt within 3 working days.

We will normally provide a full written response within 20 working days.

If a meeting is required this will normally be arranged within 15 working days and a full written response provided within 5 working days following the meeting.

If this is not possible we will let you know why this is the case.

How we will contact you

We may contact you by telephone to make arrangements to visit the site. We will normally provide our detailed written response by email.

Planning Performance Agreements

What is a Planning Performance Agreement?

A planning performance agreement (PPA) is a project management tool which local authorities and applicants can use to agree timescales, actions and resources for handling planning applications.

A planning performance agreement will normally cover the pre-application and application stages but can also include the post-application stage e.g. discharging planning conditions.

A planning performance agreement is agreed voluntarily between the applicant and local planning authority.

When should a planning performance agreement be used?

A planning performance agreement can be used for any application but would normally be more appropriate for larger or more complex development proposals. Planning performance agreements are most likely to be appropriate for the following types of development:

- Residential developments of 100 dwellings or more
- Outline proposals for residential development on sites of 2.5 Ha or greater
- Non-residential development of 10,000 m² floor area or greater
- Outline proposals for non-residential development of 5 Ha or greater

A major development enquiry may identify further complex discussion is required and/or that a planning performance agreement would be an appropriate project management tool. Alternatively you may contact us to discuss entering into a planning performance agreement before submitting a pre-application enquiry to us.

How much will a planning performance agreement cost?

The cost of a planning performance agreement will depend on the nature of the development proposal and the scope of the agreement and will be agreed jointly between the applicant and the local planning authority. The fees associated with the planning performance agreement are in addition to the subsequent planning application fee for the proposed development.

Points to note

It should be noted that a planning performance agreement does not commit the local planning authority to a particular outcome but is a commitment to a process and timetable for determining an application.



Allerdale Borough Council

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