



Pre Application Advice Charges Guidance Note

The Council is able to provide pre-application advice to potential applicants before they submit a planning application. Because of the resources involved, it is necessary to charge a fee for this service.

Potential applicants are not obliged to seek pre-application advice. However, the Council advises that, once a formal planning application has been made, it will normally proceed to a determination on that application without recourse back to the applicant – unless amendments of only a minor nature are to be requested by the Council in order to improve a scheme and they can be made, and any necessary consultation undertaken, within the target timescale.

How does the process work?

In order to access the service, please complete the pre-application advice request form. This is available on the Councils website. A copy can also be e-mailed or sent to you in the post or you can pick it up in the Councils Hertford Office reception.

Once complete please return the form to us. You will need to provide sufficient information to enable us to understand the proposals. This will usually include:

- A plan of the location of the proposed development
- A plan showing how the proposed development is to be set out on the site;
- Sketch elevation drawings

Photographs of the site and surroundings are not essential, but do further assist.

If your proposal affects a listed building, more detail will often be required. This may require the need for a professional appraisal of the historical significance of the building to be undertaken and the impact of the works in relation to that assessed.

On receipt, an initial assessment will be undertaken to determine if the correct fee has been paid and sufficient information provided. You will be contacted for any additional information and fee, if required.

Major Schemes: Individual Estimates

For major schemes the Council will provide you with an individual fee estimate for the provision of advice, based on the initial assessment of your scheme, the issues it is likely to raise and the time required to fully consider it.

Major schemes are those which meet the national definition of major development, see additional information at the end of this note.

What advice do I get?

Your case will be assigned to a Planning Officer who will provide a response for you including the following information:

- Key issues which the proposals raise;
- What the view of the Council is likely to be in relation to those issues, given relevant planning policies and what further action could be taken to address them
- Let you know what the Council's view is on the scheme overall and, if it is not possible to do this, why not.

A written summary of the above will be provided.

Meetings

A meeting with Planning Officers, to a maximum of 1 hour in length, is included in the fee for major proposals and minor proposals (type B only). See fee categories on the pre application page for more price breakdowns

The meeting can be held prior to the receipt of your advice or afterwards, in accordance to your request specified on the request form

For all other types of development, meetings with Planning Officers are offered, for which an additional fee is payable and will be organised, if requested, after the initial advice response has been provided. If you want to take up this service, please contact the case officer who dealt with the initial advice response. The Council will determine which Planning Officer staff should be present and you will be contacted for payment of the additional appropriate fee before a meeting is organised.

Further advice

All the above, including a meeting where appropriate, will be undertaken on payment of the appropriate fee. If, subsequent to the provision of the advice, you wish to seek further advice from the Council, and your proposal is for a householder development, requires the provision of heritage advice, or minor

development 'Type C'(see fee sheet) then a secondary fee – which is half the amount of the initial fee – is payable.

This fee is payable before any further action can be taken by the Council but will cover any advice, in relation to the *same* proposals, prior to the receipt of a formal application.

If you approach the Council for advice in relation to a proposal which is the same as, or substantially similar, to one that has previously been the subject of a formal application (a planning or related application) and no advice was previously sought, then the initial fee is payable.

If advice was sought prior to the submission of a formal application and, regardless of whether follow up advice was sought prior to submission of that application or not, if it is sought after an application has been dealt with, a secondary fee will be payable.

Please note that where a change has been made to the proposals which is significant taking account of their scale and scope and a re-evaluation is required, the Council reserves the right to charge the appropriate initial fee.

Timescales

We will endeavour to deal with your request in accordance with the following.

Timescales

| | All below relate to the number of working days after the day of receipt |
|---|---|
| Confirmation of receipt of a major pre-application submission | 1 |
| Confirmation of receipt and any additional information and fees required for non major pre-application submissions | 4 |
| Provision of individual fee estimate, timescale response and any additional information for major pre-application submissions | 5 |
| Pre-application advice response for non major pre application submissions | 20 working days from date of receipt of all required information, fee and meeting date (as appropriate) |
| Pre-application advice response for major pre application submissions | As provided in fee and timescale estimate |

Basis of the advice given

Please note that the advice given will be based on the information supplied and that already held by the Council. Officers will generally not be able to visit and inspect a site so it is crucial that any plans and drawings submitted are accurate. Neither will it generally be possible to undertake consultations with other organisations who would normally be invited to comment on the proposals through a formal submission. The advice given is based on the professional judgement of the officer and cannot be binding on the formal decision of the Council. If a scheme progresses to a formal submission it will be subject to consultation and any formal decision will take the results of that consultation into account.

With the requirements of the Freedom of Information Act any pre-application advice given by the Council cannot be considered to be confidential.

Contact Us

Please return any completed request for advice form to the Development Management service as below, if you have any other queries or questions then please also contact us as below at:

East Herts Council
Development Management
Wallfields
Pegs Lane
HERTFORD
SG13 8EQ

Phone us on 01279 655261 and ask for Development Management.

E-mail us on: planning@eastherts.gov.uk

Additional Information: National Development Definitions

Major: where the proposed development comprises any of the following: 10 or more new homes, new buildings with a floorspace of 1000sqm or more or comprises a site with an area of 1Ha or more

Minor: the development of between 1 and 9 new homes (under 1000sqm floorspace) or other development with a floorspace of under 1000sqm. Two fee categories are applicable for Minor development proposals. See fee sheet.

What will be charged for?

A charge is payable for any pre-application advice that relates to the following types of development:

- householder development such as an extension of an existing property and changes to the extent of land that is used for residential purposes associated with an existing property (the fee for more unusual proposals, for example the same scheme relating to multiple units, would be considered on a case by case basis);
- new residential development created either by new build or the change of use of existing buildings;
- non-residential development (eg. commercial, office, retail and industrial development). Where a new use is being set up – either through the change of use of an existing building or by a new build – the proposals are charged according to the national development type into which they would fall (see above). If the use is already in place and minor works are proposed which do not result in additional floorspace (for example, change to a shop front) there is a reduced charge – see the charge table;
- advertisement proposals;
- requests for confirmation that any proposed works are permitted development (PD) – but a Lawful Development Certificate (LDC) is not being sought; *(Please note however that the charge for advice is £130, the fee for an LDC submission is £75. Applicants may prefer to pursue the formal approach because of the differential in cost. Please also note that the Council cannot provide advice in relation to uses claimed to be in existence);*
- where any proposal relates to a listed building, is considered to affect the setting of a listed building, is located in a Conservation Area or affects the setting of one, a heritage advice fee will also be chargeable. *Please note*

*this is charged in addition to any other relevant fee referred to above
except in the case of requests for PD confirmation;*

Notes:

In all cases the charges set out in the table below are levied once if multiple proposals are submitted at the same time and relate to the same site – eg a householder ground floor extension and loft conversion will only attract one fee if submitted simultaneously.

If, on receipt and consideration, proposals are considered to be permitted development this will be set out in a response letter and no further advice will be given. Please note however that this will constitute an informal response and does not constitute a Lawful Development Certificate. Fees paid cannot be refunded.

If, in the view of the Council, a heritage advice fee is payable for any particular scheme, but has not been paid, it will be requested. If the fee is not subsequently paid within a period of 28 days the submission will not be assessed. Submitted fees will be repaid however.

Will any advice be free?

If you are not seeking to submit a planning or related application yourself, for example you are seeking advice about the operation of the planning system generally, or on a proposal that has been submitted by another person, this advice remains free of charge.

If you are a householder who is proposing development which does not result in addition to the existing floorspace of the property (including any conversion works) or change to the extent of the land used for residential purposes in association with a property, this advice is not charged for.

Does this affect our Duty Planner service?

We currently offer a Duty Planner service whereby you can contact us by phone or call into the Councils offices without an appointment to seek advice and guidance. This service is being maintained for all advice which is non-chargeable. Please note that, if you use this service for advice in relation to forms of development for which a charge for advice is made we will only be able to give some basic and initial advice. Anything beyond this will require the payment of a fee. An immediate response cannot be given to chargeable requests received during Duty Planner service times.