

Will permission be granted?

Obtaining our advice prior to submitting your application

May 2011

1. Introduction

This guide explains how and why we provide pre-application advice and clarifies what you need to submit to us when requesting it. There is a charge for this service and these charges are explained together with an explanation of what you can expect from us.

2. The benefits of getting our advice

We provide advice to people who wish to carry out a development so that their application is more likely to be acceptable and a quality scheme is achieved. This is often called “pre-application advice” and should be sought as early as possible in the development process.

Pre-application advice has a number of benefits.

- We can identify, and where possible, help you to resolve any potential problems before you submit a formal application.
- Pre-application advice can identify those schemes which have little or no realistic chance of success, for example where there is a fundamental conflict with the council’s adopted policies or advice from central government. This can save you spending a considerable amount of time and money on a scheme that won’t be acceptable.
- Early discussion about detailed aspects of the scheme, such as architectural design and the use of building materials can take place. This can result in a better overall quality and quicker processing.

As well as discussing your proposals with us, it is always sensible and helpful to speak to the people in neighbouring properties and the local parish or town council before making a formal planning application. The advice and opinions of local people can help you to improve the quality of your scheme and increase the likelihood of permission being granted.

3. Do you need permission?

The first step is to find out if you need permission for what you want to do. You can find free advice about the need for planning permission on the Planning Portal website at www.planningportal.gov.uk. The Planning Portal is operated by central government to help people understand the planning system. It includes simple interactive tools that explain when permission is needed.

You can also find free advice about the need for Listed Building Consent on our website at www.n-somerset.gov.uk.

If you submit the details of your scheme to us we can give you our written opinion about whether you need permission. There is a fee for this service which is explained in a separate advice note called *“How to get our written advice as to the need for planning permission”* and which is available on our website.

4. Carry out your own research.

Once you know that you need permission, you can do a lot of research yourself that will help you prepare an acceptable scheme, for example you should investigate the following free sources of useful information:

- Government advice in the form of Planning Policy Statements (PPS)
- Local policies
- Views of local people and organizations such as the town or parish council
- Check for recent planning applications on the site. You can do this by using the search facility in the “planning” section of our website.

We also recommend that you talk to the people who own and occupy any properties close to where you would like to carry out your development.

All the websites listed below give information that could help you in your preparation. If you don't have internet access, you can use computers for free at any of North Somerset's libraries.

- North Somerset Council, www.n-somerset.gov.uk
- The Planning Portal, www.planningportal.gov.uk
- Department of Communities and Local Government, <http://www.communities.gov.uk/planningandbuilding/>
- Royal Town Planning Institute (RTPI) <http://www.rtpi.org.uk/>
- Planning Aid, <http://www.planningaid.rtpi.org.uk/>
- Royal Institute of Chartered Surveyors, <http://www.planning-applications.co.uk>
- Environment Agency – Planning, <http://www.environment-agency.gov.uk>
- English Heritage - <http://www.english-heritage.org.uk/caring/listing/>

5. Get our advice

We provide a free telephone advice service within our normal working hours. This service provides general planning advice. Whilst we aim to be as helpful as possible we are not able to provide site-specific advice over the telephone.

If you would like more detailed advice we can provide you with our written opinion about your proposal. The remainder of this advice note explains how to obtain our written advice.

Step one: Submit your request with appropriate information.

All requests for advice should be made on the advice request form which is attached at Annex A.

We base our response on the information that you send to us. It is therefore essential that you provide a clear description of what you want to do in section 4 of the advice request form. Below is an example of the amount of detail we would need for a rear extension to a house.

“We would like to build a single storey extension to the rear, with a pitched roof to provide an office area for use in connection with the existing building. This extension would be constructed of rendered block work and concrete tiles to match existing and would be 5 metres wide by 3 metres deep and 4 metres to the ridge.”

Unfortunately, we are not able to respond to vague statements such as *“I wish to discuss what you would allow on the site”* as this is not sufficiently clear.

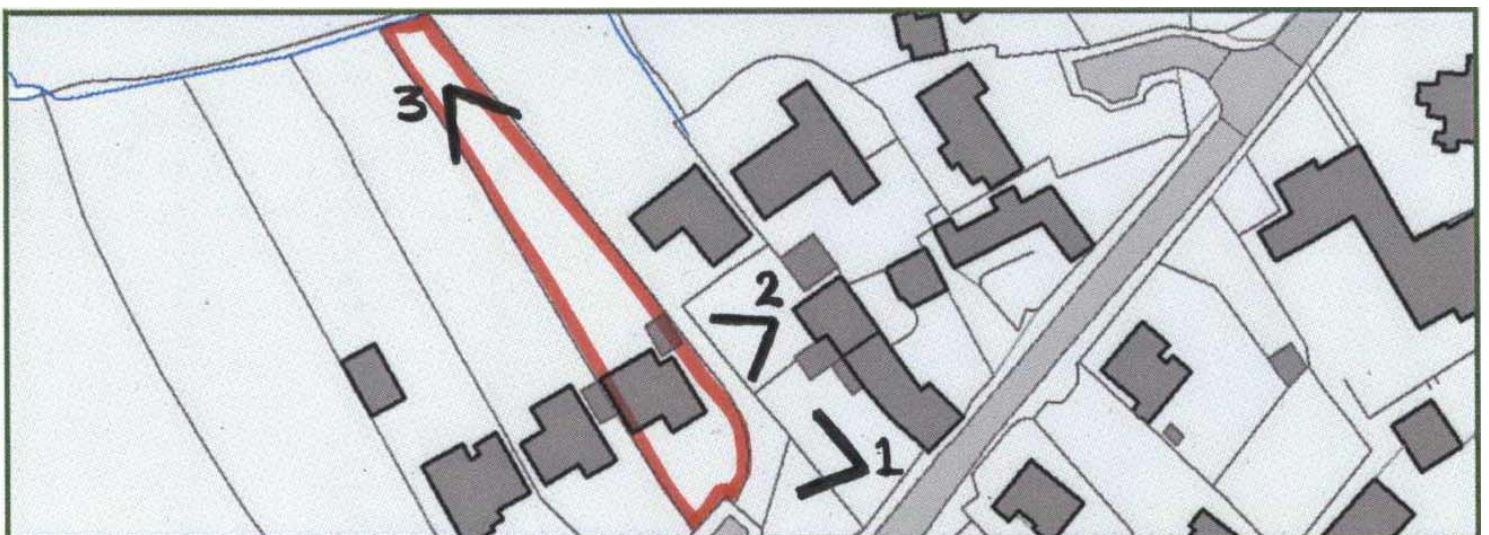
With the advice request form you also need to provide, as a minimum, the following:

- A location plan* with the location of the site clearly outlined in red, normally at a scale of 1:1250. A 1:2500 scale may be more suitable for rural locations.
- Photographs of the site, including neighbouring buildings. These photographs should be clearly labeled and referred to on the site plan to indicate where the photographs were taken from.
- A sketch plan of the proposal with key dimensions shown.

* Note: Ordnance Survey plans to submit with planning applications can be purchased direct by visiting the Ordnance Survey website: <http://www.ordnancesurvey.co.uk/oswebsite/>, or by contacting us on 01275 888 811.

Photographs

When taking your photographs please include both the site and neighbouring properties. This will enable us to fully understand the relationship between what you propose and the local area. So that we can interpret the photographs you send us they need to be labeled. Please show where the photograph was taken and in which direction the camera was pointing by labeling the site plan as shown in the example below.



Based upon the Ordnance Survey mapping with the permission of the Controller of her Majesty's Stationary Office © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to civil proceedings (North Somerset Council, 100023397, 2010)

Sketch Plan

A sketch plan could just be a simple line drawing or a professional architectural drawing. The important thing to remember is to ensure that your sketch plan gives an accurate impression of what you want to build. You should also write on your sketch plan key dimensions such the height, width and length of the building and the distance to a boundary with neighbouring property. One way to make it easier to produce an accurate impression is to draw a simple line drawing onto a photograph of the existing site as shown below.



If you don't submit enough information of a suitable quality to allow us to fully understand what it is you are proposing and its impact upon your neighbours then we won't be able to give you a response. If this happens, we will write to you to explain why we aren't able to give you the advice that you requested.

The more information you can give us, the more we can help you. If you are able to submit more than the minimum information listed above then we may be able to give you a more considered response. For larger or more complex proposals the planning officer may ask for more information so that they can provide you with a more informed response.

It is very important that the supporting plans are clear and readable. In view of this you may wish to arrange assistance from an architect or planning agent. You can obtain the contact details of local architects and planning agents by looking in the local press, yellow pages or professional guidebooks.

Step two: Include the correct fee

You should submit the required fee with your request. Request for advice without the correct fee will not be progressed. Cheques should be made payable to North Somerset Council.

There is no charge for requests relating to the alteration of an existing dwelling to improve safety, health or comfort for a disabled person living or intending to live in the house. The exemption for works for disabled people will be applied in the same way as for planning applications.

How much you need to pay depends upon the scale of your proposal and the level of service you require from us. Table one below sets out the fees for smaller scale developments. Table two sets out the fees for major developments. Table 3 sets out the fees for conservation advice only.

There is a flat rate fee of £200 for written advice relating to any request for the change of the use of land or buildings to a non business use. Any follow up meetings relating to change of use only cost £41 per hour.

Table 1: Fees for small scale and minor developments

| Scale | Level of service | |
|--|---------------------|---|
| | Written advice only | Follow up meeting with planning officer |
| Householder and other small development ** | £41 | £41 per hour* |
| Type 1 minor development*** | £82 | £41 per hour* |
| Type 2 minor development**** | £205 | £62 per hour* |

* We will only agree to a meeting after our written advice has been given. Meetings that last for less than an hour will be charged at the full hourly rate. An invoice will be sent and full payment will be required within 30 days. The venue for any meetings will be at the discretion of the planning officer.

** Residential extensions and out buildings (including flats), adverts and other schemes up to 40m².

*** Proposals for 1-4 new residential units and sites from 41 to 499m² (including business change of use).

**** Proposals for 5-9 new residential units and sites of 500 to 999m² (including business change of use).

Table 2: Fees for major developments (10+ dwellings or sites of 1000 m² or more)

| Scale | Level of service | |
|------------------------------|---|---|
| | Written advice and up to two hours meeting time | Additional meetings with planning officer |
| Type 1 major developments** | £1,022 | £103 per hour* |
| Type 2 major developments*** | £1,532 | £103 per hour* |

* An invoice will be sent and full payment will be required within 30 days. Meetings that last for less than an hour will be charged at the full hourly rate. The venue for any meetings will be at the discretion of the planning officer.

** Proposals for 10-24 new residential units and sites between 1000-1999m² (including business

changes of use).

*** Proposals for 25+ new residential units and sites of 2000m² + (including business changes of use).

Conservation or Listed Building advice only

We recognise that sometimes people just want advice about how best to protect a heritage asset that they own such as a Listed Building, building in a Conservation Area or any other historic structure. We have therefore prepared a lower range of fees for when you solely want written advice from one of our experts in conservation issues and do not require general planning advice. Table 3 below sets out these fees.

Table 3: Fees for conservation or Listed Building advice only

| Scale | Level of service | |
|---|---------------------|---|
| | Written advice only | Follow up meeting with conservation officer |
| Small extensions and other small works ** | £31 | £31 per hour* |
| Type 1 minor development*** | £62 | £31 per hour* |
| Type 2 minor development**** | £153 | £47 per hour* |
| Type 1 major developments and up***** | £500 | £76 per hour* |

* Meetings that last for less than an hour will be charged at the full hourly rate. An invoice will be sent and full payment will be required within 30 days. The venue for any meetings will be at the discretion of the conservation officer.

** Residential extensions and out buildings (including flats), external and internal alteration works, demolition of buildings and structures up to 40m², adverts and other schemes up to 40m².

*** Proposals for 1-4 residential units and sites from 41 to 499m², demolition of buildings and structures from 41 to 499m².

**** Proposals for 5-9 residential units and sites of 500 to 999m², demolition of buildings and structures from 500 to 999m².

***** Proposals of 10 residential units or more and sites of 1000m² or more, demolition of buildings and structures from over 1000m².

If you are unsure which type your scheme is please ask us by calling 01275 888811.

6. What happens next?

Once we receive your enquiry, we will send you a letter to let you know who is dealing with your query and when you should receive a written response. You will also be given a reference number that will be shown at the top of the letter. You should use this reference number whenever you contact us in relation to your enquiry.

Please note that you cannot choose the case officer who you would like to deal with your request. This decision will be made by one of our managers.

Your proposal will be assessed against the relevant local policies and national policies. We will base our response on the information that you have submitted to us. We will also take into account any other relevant information that is held on our planning files for the site.

As part of our commitment to you we aim to acknowledge all requests for pre-application advice within five working days, and to provide a response containing our informal opinion within 28 working days. If, due to the complexity of the issues and other circumstances, we are not able to provide you with a response within 28 working days we will inform you and give you a date by which we will reply. There is no provision for the refund of fees when our response is later than expected.

Once you have received our advice and if you then decide to submit an application your request may be placed on our website together with the planning application. You should therefore avoid sending us personal and sensitive information about yourself or other people without their consent. There is no need to sign your letter.

You should also not include any statements that could give offence to other people. We have prepared an advice note which explains our procedures on data protection called *"How we deal with information submitted to in connection with planning applications"* which is available to view on our website.

7. What advice can I expect?

Once our assessment has been completed, we will send you a report that will include our informal view about your proposal. A sample copy of this report is shown at Annex B. The report will explain that the advice is purely informal and does not bind the council in any way when determining any future application that may be submitted. One reason for this is that additional issues can arise during the lifespan of an application, particularly through the process of public consultation.

If you have any queries about the response you receive, please send these to us by email to dccomments@n-somerset.gov.uk and quote our reference number. You may also wish to seek separate independent professional planning advice from an architect or planning agent.

When preparing any subsequent formal application please ensure that you take into account the advice we have provided to you. Once your application is received we will not normally enter into further negotiations where we have provided pre-application advice and the advice we gave has not been followed.

Please note that the advice we provide you with represents our opinion on the date it was issued. After this date changes to planning policy, interpretation of that policy or any other relevant issues, may result in the advice becoming out of date. This means that if there is a significant delay between when we issued our advice and when you submit your planning application our advice may no longer be valid.

For this reason it is recommended that you act upon the advice we give you promptly. As a rule of thumb, if you are unable to act upon the advice within six months then we recommend that you contact us again to ask if the advice is still valid. When making such requests please make sure that you refer to our reference number.

Contacting us

Wherever possible, when contacting us please:

- Write clearly using black ink. Avoid sending us personal and sensitive information about yourself (or other people without their consent) such as signatures and photographs of private land. There is no need to sign your letter.
- If you have contacted us previously please include our reference number at the top of your letter or email (where a reference number has previously been provided).

Our normal office opening hours are Monday to Thursday from 8.45am to 5pm and Fridays from 8.45am to 4.30pm.

You can contact us via:

- Email to dccomments@n-somerset.gov.uk
 - Telephone on 01275 888 811
 - Fax to 01934 426 844
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Before completing this form please read our advice note "Will permission be granted?" which is available on our website at www.n-somerset.gov.uk

Please use a black pen to complete this form

1) Your details

| |
|--|
| Please use a black pen to complete this form |
| 1) Your details |
| Your name |
| Your address: |
| Your telephone number |
| Your email |

2) Site address

| |
|--|
| Address of proposed works or development |
|--|

3) Current use

| |
|---|
| Describe the current use of the land or buildings |
|---|

4) Proposed development

| |
|--|
| Please describe what you propose to do |
|--|

Please continue on a separate sheet

5) Fees (your request will not be considered without the required fee)

Please tick as appropriate

- I have enclosed the required fee of £
- I have not enclosed a fee since the proposed works are for:
 - Listed building consent
 - Works for a disabled person (this concessions only applies in the circumstances set out in Regulation 4 of the Town & Country Planning (Fees for Applications and Deemed Applications) Regulations 1989)

6) Submit sufficient information (see “Will permission be granted?” for more information which is available on our website)

Please tick as appropriate

I have enclosed the following:

- A location plan with the site shown outlined in red at an appropriate scale (normally 1:1250 for urban areas or 1:2500 for rural areas)
- Photographs of the site and neighbouring properties.
- A plan showing where the photographs were taken from.
- A sketch of the proposal with key dimensions shown.
- Other information, including.....
.....

7) Additional comments

Please include any additional comments that you would like us to take into account when considering your proposal

Please continue on a separate sheet

We understand your proposal to be...

In this section of the report we will set out what we think you want to do.

Things that you need to be aware of

In this section we will explain if there are any previous planning applications or site issues that you need to take into account.

Planning policies that you need to be aware of

In this section we will list the main planning policies that are relevant to your proposal.

Our initial views about your proposal

In this section we will say what we think about your proposal. This will include our view about the likelihood of planning permission being granted.

Things we recommend you do

In this section we will explain what you should do next. This may include advice about how to improve your proposal to make it acceptable or who you should contact prior to submitting an application.

Signed:

Dated:.....

Authorised by:

Dated:.....

Advice notes

- 1 The views expressed are informal views on and based on the information that you submitted to us. They are without prejudice to the consideration of any formal application, which may be submitted, and the more detailed assessment of the issues involved at that stage.
- 2 Any advice given in relation to the planning history of the site, planning constraints or statutory designations does not constitute a formal response of the council under the provisions of the Land Charges Act 1975
- 3 The weight given to our advice will reduce the more time that lapses between the advice given and the application being submitted because circumstances may change.
- 4 Whilst we try to give you all the information available at the advice stage, new information may come to light once an application has been submitted that we were not previously aware of. We reserve the right to take a different view if this occurs, however, we will contact you first to discuss the best way forward.
- 5 Further fees or contributions may be required prior to the granting of planning permission under s106 agreements or unilateral undertakings.

This publication is available in large print,
Braille or audio formats on request.
Help is also available for people who require
council information in languages other than English.

Please contact 01275 888 811



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in north somerset

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