

Advice Note 6

Will permission be granted?



Obtaining our advice prior to submitting your application

March 2009

Introduction

This guide explains how and why we provide pre-application advice and is applicable to all development proposals. We may charge for this service. For up to date information about any new charges please visit our website at www.n-somerset.gov.uk or call 01275 888 811. A separate guide is also available on our website for written advice as to the need for planning permission.

Benefits

We provide pre-application advice to people who wish to carry out a development, so that their planning application is more likely to be acceptable and a quality development is achieved. Pre-application advice should be sought as early as possible in the development process.

As well as speaking to the planning officer, 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.

Pre-application advice has a number of benefits.

- We can identify, and where possible, 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 development, such as architectural design and the use of building materials can take place. This can result in a better overall quality of proposed development and quicker processing

What do I need to do?

Step 1: Do you need planning permission?

The first step is to find out if you need planning permission for what you want to do. We have a form that you can complete for any proposals relating to an **existing** dwelling. This form can be viewed and downloaded from our website.

You can also find advice on the Planning Portal website: www.planningportal.gov.uk. Planning Portal is a website designed by central government to help people understand the planning system.

Step 2: Carry out your own research.

Once you know that you need planning permission, you can do a lot of research yourself that will help you prepare an acceptable scheme, for example you should investigate:

- Government advice
- 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 our search facility on our website which is available in “planning” section.

We 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 have 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/aboutus/512398/908812/>

Step 3: Submit your request with appropriate information.

Please write to us and provide a written description of what you propose to do. For example:

“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 there are so many factors to take into account.

With the written description 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
- Photographs of the site including existing and neighbouring buildings. These photographs should be clearly marked so that they can be identified and the site plan should be marked to indicate where the photographs were taken from

* 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.

If you fail to submit adequate information of a suitable quality so that we can't fully understand what it is that you are proposing, or its impact upon its surroundings 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 encourage you to do so as this will mean that we can give you a more accurate response. Additional information could include existing and proposed floor plans and elevations for example.

You would normally need to provide these drawings when submitting a formal planning application. Detailed information about what needs to be submitted with a planning application can be found within our Validation Checklist that you can view online at: www.n-somerset.gov.uk/Environment/planning/advice/checklist.htm.

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. We cannot recommend people who could help you for reasons of impartiality. However you may wish to look in the local press, yellow pages or professional guidebooks.

Phone calls and site visits

Unfortunately we are not able to provide site-specific advice over the phone and we will not agree to undertake site meetings or visits unless, in our opinion, it is necessary due to the scale and complexity of the proposed scheme. If we do decide that we need to arrange a site visit, we will only do so if we have all the information that we need.

For the vast majority of cases the advice we provide will not be based on the findings of a site visit therefore it is essential that you provide us with as much relevant information as possible.

What happens next?

Once we receive your enquiry, we will send you a letter to let you know whom your request has been allocated to 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 we are not able to consider any requests for your enquiry to be dealt with by a specific planning officer. You cannot choose the case officer who you would like to deal with your request. That decision will be made by one of our managers.

Your proposal will then be assessed against the relevant policies of the Development Plan and national planning policy statements. The officer will also take into account any other relevant information, such as the planning history of the site.

We may consult Councillors, town or parish councils or other organisations depending on the nature of your proposal.

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

As part of our commitment to you we aim to acknowledge all requests for pre-application advice within three working days, and to provide a response containing our informal opinion within 20 working days. If we are not able to provide you with a response within 20 working days we will inform you and give you a date by which we will reply.

What advice can I expect?

The advice we will provide can normally be categorized into three broad bands:

- The proposal is acceptable in its present form
- The proposal requires either minor or significant amendments to make it acceptable. Advice will normally be given as to how any identified problems can be overcome
- The proposal is fundamentally unacceptable in principle, due to conflict with adopted policies and/or central government advice. In these cases officers will not normally enter into further pre-application negotiations

If you have any queries on the response you receive, please contact the case officer whose name will appear at the top of our letter and quote the reference number. You may also wish to seek separate independent professional planning advice from an architect or planning agent.

When preparing any subsequent planning application to submit to us 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.

The advice that we provide you with represents our opinion at the time we provided it. Subsequent changes to national and local policy or the interpretation of that policy, the circumstances of the site or any other material considerations may result in the advice becoming out of date.

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 include our reference number with your letter.

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
- Our website at www.n-somerset.gov.uk
- Telephone on 01275 888 811
- Fax to 01934 426 844

Due to the nature of their work, our planning officers are often out of the office or are unavailable to receive telephone calls directly. We always have a duty officer available during normal office hours to respond to general queries.

Please send letters to:

North Somerset Council
Development Control
Somerset House
Oxford Street
Weston-super-Mare
BS23 1TG

Tel: 01275 888 811

Fax: 01934 426 844

Email: dccomments@n-somerset.gov.uk

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