



Gloucestershire
COUNTY COUNCIL

**Pre-application
Planning Advice Service**

GUIDANCE NOTE

updated
May 2021

Gloucestershire County Council

Planning Advice Service – Guidance Notes

1. Introduction

Gloucestershire County Council, in its role as the County Planning Authority, determines applications by the various County Council departments for their own development e.g. schools, road schemes, libraries, household recycling centres. Such applications are made under Regulation 3 of the Town and Country Planning General Regulations 1992 and will be assessed against government guidance on land use planning and development plan policies.

The County Council is also the Mineral and Waste Planning Authority, thereby also determines planning applications for mineral and waste development.

From the 1st January 2016 Gloucestershire County Council's Planning Development Management service started charging for the provision of pre-application planning advice.

2. What is pre-application planning advice?

Pre-application advice is an essential part of delivering a quality planning service. Prior to the 1st January 2016 pre-application advice had been provided through informal advice to applicants on the form, content and merits of future planning applications. Customers value this service but the provision of pre-application advice can be costly and requires appropriate resources to make it effective.

The introduction of a charging regime for pre-application advice provides a clear and time-bound process for both customers and officers, so adding certainty to the procedure and improving the accountability of the advice. The introduction of these charges will offset the cost of supplying this advice and ensure that the costs are recovered directly from the service users.

3. What are the benefits of the pre-application service?

- Whilst planning authorities are not obliged to enter into pre-application discussions there are recognisable and tangible benefits from well-managed engagement that ensures applications are complete, comprehensive and presented to a satisfactory standard, helping to avoid any unnecessary delays;
- The pre-application process helps identify the documentation that will be required to support an application. It would also allow consideration of amendments needed for the proposed application to be acceptable for formal validation;
- It identifies where there is a need for specialist input from a range of technical specialists and helps the applicant to understand the likely material planning issues that could arise from the development proposal and how an application will be judged against applicable policies and other relevant legislation;
- It will provide clarity on whether the likely impact of the development would potentially require any mitigation through planning conditions and/or in the form of a Section 106 Agreement;
- It provides an opportunity for wider engagement with other specialist stakeholders where appropriate which can deliver better outcomes for all parties;
- It indicates whether a proposal is likely to be completely unacceptable, so identifying the risk to an applicant of pursuing an application so potentially saving the cost of pursuing a formal application;

- It can potentially reduce the need for further information or schemes to be submitted for approval under planning conditions attached to a permission.

4. What service will we provide?

On receipt of your enquiry (on our standard request form) and, where required, the fee, we will send you an acknowledgement letter within 5 working days, which will provide you with the following information:

- The name and contact details of the officer dealing with the enquiry.

Cases will be allocated by a senior member of the Planning Development Management team taking into account the likely complexity of the proposal, past knowledge of the site and the relative workloads of the case officers;

- A unique pre-application reference number that should be used on all correspondence;
- Confirmation as to whether sufficient information has been submitted in connection with your pre-application advice request to meet Gloucestershire County Council's validation requirements, which will vary according to the scale and nature of the proposed development;
- A list of additional information required to validate an advice request that has been deemed by the County Council to be invalid;
- If your advice request has been validated you will receive confirmation of the date by when you can expect to receive a formal written response from the County Council.

Please note that pre-application advice requests that have not been validated due to insufficient information and/or fee will be placed on "Hold". If the requested information and/or fee is not received by the County Council within 56 days of the date of the acknowledgement letter the advice request will be closed and any pre-application fee that has been submitted will be returned.

Depending on the scale and nature of your enquiry the response from the County Council will include some or all of the following information:

Large Scale Major Applications (all proposals where the site area is in excess of 15ha or in relation to waste proposals where the annual throughput exceeds 50,000 tonnes)

- Internal consultation (where applicable), with:
 - Minerals and Waste Policy
 - Highways Development Management
 - Ecology
 - Archaeology
 - Tree Protection Officer
 - Public Rights Of Way
 - GCC Public Health
 - Lead Local Flood Authority
 - County Waste Management

A summary of consultee comments and consideration of any implications of the consultee advice.

- Planning history search;
- Identification of planning constraints;
- Identification of applicable local and national planning policies;
- Validation requirements;
- Guidance on whether any pre-application public consultation is appropriate and how this should be progressed;
- Suggested amendments (if applicable) to improve the potential of a successful outcome;
- The process for determining an application including likely timescales for deciding the proposal;
- Up to 3no. 2hr site visits/meetings; and
- Written response.

Major Applications (all proposals where the site area is in excess of 1ha but less than 15ha, and all waste proposals where the annual throughput would not exceed 50,000 tonnes)

- Up to 2no. 2hr site visit/meetings (if deemed necessary by officer and applicant/agent);
- Planning history search;
- Identification of planning constraints;
- Internal consultation (where applicable); and
- Written response.

Minor applications (all proposals where the site area does not exceed 1ha)

- 1no. site visit/meeting for up to 1hr (if deemed necessary by officer and applicant/agent);
- Internal consultation (where applicable); and
- Written response.

Please note that external organisations (e.g. District/City Council (planning officer, conservation officer and environmental health officer), Environment Agency, Natural England, Gloucestershire Wildlife Trust, Gloucestershire Fire and Rescue Service, Cotswolds Conservation Board, Sport England, Historic England, Highways England, Severn Trent Water, Thames Water, Public Health England) whom we may consult at the application stage will not be consulted as part of the pre-application service. However, we will provide you with details of organisations to contact if applicable. It should be noted that some of the external organisations listed above have their own charging schedule for providing pre-application advice.

5. Information we need from you

All pre-application advice requests should be submitted in writing, preferably electronically, and should contain the level of information required relevant to the level of advice sought.

To enable us to provide you with an appropriate response to your pre-application advice request we will require sufficient detail about the nature of your proposal together with the required fee.

We will normally require:-

- A completed request form with detailed written description of your proposal. A copy of the pre-application request form can be found using the following web link: <http://www.gloucestershire.gov.uk/article/105864/Make-a-planning-application>
- The requisite fee (where applicable).
- A scaled site plan that includes the boundary of the area of proposed development or site edged red, along with the limit of the land in the applicant's ownership/control.
- A scaled block plan that shows the position of any existing buildings, structures or features, along with what is proposed.
- Initial sketch drawings of the proposed development.
- Drawings/plans showing potential constraints e.g. trees, other vegetation, overhead wires, listed buildings etc.
- Details of any significant earth moving operations or excavations.
- Recent photographs showing the site/building in context with neighbouring streetscape/properties or land would be advantageous.
- Clarification as to whether your request, or any part of it, should be treated as confidential.

Desirable Information:

- Results of any preliminary consultation with neighbours, other authorities or statutory undertakers.
- Other supporting information e.g. draft Environmental Statement, Transport Assessment, Ecological Survey etc.

It should be noted that the quality of your submission will affect the content of our response.

All map based plans displaying spatial data need to be presented on an up-to-date Ordnance Survey base map at a recognised metric scale and clearly show the site in context with its wider setting.

6. Pre-app charges

The following charges for the provision of pre-application advice will take effect as from **1st May 2021**.

The fees fall into one of three categories dependent upon the site area or throughput of the development:

Large Scale Major application = £2,781+VAT
Major application = £1,854+VAT and
Minor application = £927+VAT

Full details are provided in Appendix A.

Payment can be made online <https://forms.gloucestershire.gov.uk/OnlinePaymentForm>.

No response to your enquiry is possible until payment has been received.

7. Timescales

The target timescales for the County Council to provide a written response to your advice request is dependent upon the scale and nature of the development.

Large Scale Major application: 45 working days
Major application: 35 working days
Minor application: 25 working days

The timescales stated above commence from the validation date of your pre-application advice request.

In the event that the complexity or significance of a proposal requires further consideration, the case officer may need to seek an extension of time from the applicant/agent, which should be agreed in writing prior to the expiry of the target date stated on the acknowledgement letter. Where an extension of time has not been agreed and the Council has failed to issue its advice note within the agreed timescale, the pre-application fee paid will be refunded.

Where agreement is needed on a schedule of timescales for determination of any subsequent planning application, a Planning Performance Agreement (PPA) should be entered into (not mandatory).

8. Exemptions

The authority has considered whether charging for pre-application advice should be levied across all applicants or whether certain exemptions need to be put in place. The list of exemptions from the charging regime is set out in Appendix B. These include Town / Parish / District Council enquiries in connection to their statutory functions, discussions in relation to enforcement investigations and advice on how to submit a planning application.

9. Advice Notes

Council officers cannot give guarantees about the final formal decision made on any planning application and any advice given by Council officers for pre-application enquiries would not indicate any formal decision by the Council. Any views or opinions would be given in good faith, and to the best of ability, without prejudice to the formal consideration of any future planning application. However, the written advice provided by the planning case officer would be considered by the Council as a material consideration in the determination of any subsequent planning application, subject to the understanding that circumstances and information may change or come to light that could alter the position. The weight given to the pre-application advice may decrease over time with the lapse of any time period between the giving of the advice and the receipt of any subsequent planning application.

Any advice given about the planning history of the site, planning constraints or statutory designations does not constitute a formal response under the provisions of the Local Land Charges Act 1975.

The results of the pre-application advice request will not be made available for public inspection. However, the Council may be required to supply results to any party under the Freedom of Information Act 2000 or the Environmental Information Regulations 2004. As such, confidentiality of such results cannot be guaranteed.

10. Review

The operation of the pre-application advice service will be reviewed on an annual basis. Any comments on the scheme are welcomed and should be sent to:

Planning Development Management, Gloucestershire County Council, Strategic Infrastructure, Shire Hall, Gloucester, GL1 2TH.

Gloucestershire County Council reserve the right to change their pre-application fees, protocols, timescales and level of service delivery with three months' notice.

11. Contact Information

Please send your completed pre-application advice request form and any associated maps, plans, documents and correspondence to:-

Post: Planning Development Management, Gloucestershire County Council, Strategic Infrastructure, Shire Hall, Gloucester, GL1 2TH.

or

Email: planningdc@gloucestershire.gov.uk

12. Technical Requirements

File Size

- The maximum size of any single email that can be received by Gloucestershire County Council is 10mb.
- Where practicable, individual files should not exceed 5mb to make sure that download times are reasonable.
- All documents should be a standard metric size e.g. A4, A3, etc.
- Large documents should be split into smaller files and labeled Part 1, Part 2 etc.

For files larger than 10mb or where there are a large number of associated documents, it is advisable to submit the information on a CD that is clearly labelled with the site address and accompanied by an index.

File Formats

All maps, plans and drawings submitted electronically should be in Adobe PDF file format (scaleable to the original paper size). We are unable to accept CAD files or dwg. files.

Photographs and other illustrations that do not need to be reproduced to scale can be submitted as .jpg, .tif, .gif, .bmp or .png.

Reports and other text based documents can be submitted as either .pdf, Word documents (.doc or .docx) or .txt files.

Video clips can be submitted as either .mpg, .avi or .wmv.

Please note: Plans/drawings are checked when we receive your pre-application advice request and if they have not been created correctly or we are unable to print them to scale, they may be returned to you.

Document Format

- When exporting a map, plan or drawing electronically from source, please make sure that the file is captured at scale.
- In accordance with data protection requirements, all documents should be free from signatures, private telephone numbers and private email addresses.
- All documents, maps, plans and drawings should be clearly labelled and include version/issue/drawing numbers.
- Please make sure all electronic documents are correctly orientated for on screen

display.

General Correspondence

The following details should be provided on all correspondence: pre-application reference number, site address, applicants/agents name, proposal.

Appendix A

<p>Charges would apply to all minerals and waste, natural resources and County Matter enquiries relating to: New/extended buildings; plant/machinery; new/extended landfill/ landraising including soil/inert; all waste treatment/processing/transfer/disposal facilities; Energy from Waste plant; scrapyards; Anaerobic Digestion plants; operations involving the winning and working of minerals, oil, natural gas and any ancillary development; variation of conditions (including site area or time extensions on minerals or waste sites); significant earthmoving (eg lakes), sewage treatment facilities including reedbeds and Sustainable Urban Drainage Systems; engineering operations; Environmental Impact Assessments and preparation advice for the Review of Old Mineral Permissions.</p>	
<p>Type of Application</p>	<p>Service Provision</p>
<p>Large Scale Major Applications:</p> <p>(all proposals where the site area is in excess of 15ha or in relation to waste proposals where the annual throughput exceeds 50,000 tonnes)</p> <p>Timescale: 45 working days</p>	<ul style="list-style-type: none"> • Internal consultation (where applicable) with: Minerals and Waste Policy; Highways Development Management; Ecology; Archaeology; Tree Protection Officer; Public Rights Of Way; GCC Public Health; Lead Local Flood Authority; County Waste Management. • Planning history search; • Identification of planning constraints; • Identification of applicable local and national planning policies; • Validation requirements; • Guidance on whether any pre-application public consultation is appropriate and how this should be progressed; Suggested amendments (if applicable) to improve the potential of a successful outcome; • The process for determining an application including likely timescales for deciding the proposal; Up to 3no. 2hr site visits/meetings; and • Written response. <p>Fee: £2,781 +VAT (£3,337.20)</p>
<p>Major Applications:</p> <p>(all proposals where the site area is in excess of 1ha but less than 15ha, and all waste proposals where the annual throughput would not exceed 50,000 tonnes)</p> <p>Timescale: 35 working days</p>	<ul style="list-style-type: none"> • Up to 2no. 2hr site visit/meetings (if deemed necessary by officer and applicant/agent); • Planning history search; • Identification of planning constraints; • Internal consultation (where applicable); and • Written response. <p>Fee: £1,854 +VAT (£2,224.80)</p>
<p>Minor Applications:</p> <p>(all proposals where the site area does not exceed 1ha)</p> <p>Timescale: 25 working days</p>	<ul style="list-style-type: none"> • 1no. site visit/meeting for up to 1hr (if deemed necessary by officer and applicant/agent); • Internal consultation (where applicable); and • Written response. <p>Fee: £927 +VAT (£1,112.40)</p>

Appendix B

Categories of development for which pre-application charges would *not* apply

a) Request for an opinion whether or not planning permission is needed.

Outcome will be that it is either (a) not development or (b) development benefiting from Permitted Development rights or (c) development requiring planning permission.

b) Minerals and Waste Management Development

Non- material amendments to:

- Site working schemes
- Site layout
- Building design
- Construction materials
- Additional fixed plant at quarry/waste management sites under 10 metres in height
- Changes to landscaping details

c) Community Development (County Council applications)

Non- material amendments to:

- Site layout
- Building design
- Construction materials
- Changes to landscaping details

***d) Permitted Development enquiries* relating to the following Parts of the General Permitted Development Order (including any related Environmental Impact Assessment screening):**

- Part 7 Non-domestic extensions, alterations etc.
- Part 8 Transport related development
- Part 9 Development relating to roads
- Part 12 Development by local authorities
- Part 13 Water and sewerage
- Part 15 Power related development
- Part 16 Communications
- Part 17 Mining and mineral exploration

e) Enquiries from Free Miners of the Royal Forest of Dean.

f) Enquiries made by a Town or Parish Council and District Council in connection with their statutory functions.

g) Minor Regulation 3 enquiries made by Gloucestershire County Council.

h) Advice on how to submit a planning application.

i) Discussions in relation to enforcement investigations.

j) Advice to any local resident affected by a development.

k) Advice to registered charities and community groups.