

Planning Applications Guidance Notes

2011

Planning Advice Charging Guide



Planning Advice Charging Guide

From April 2011, Kent County Council is introducing a system of charging for planning advice associated with planning applications for some minerals and waste developments and major County Council community development. This follows the recommendation of the Planning Applications Committee to introduce charges for non-statutory planning advice and was approved by members on 15th March 2011.

Early discussion between applicants and the planning authority are a valuable part of the planning application process. It can save wasted costs and ensure a quicker and smoother application process. In order that the Council is able to sustain and improve our current levels of service, a range of charges has been introduced for planning advice. These fees are in addition to the fees payable for the submission of applications and the chargeable monitoring of mineral and landfill sites.

This document sets out the benefits of seeking planning advice prior to the submission of a planning application and the arrangements now in place for providing planning application advice.

Why Seek Advice?

The Council's Planning Applications Group encourages prospective applicants to seek planning advice prior to the submission of planning proposals. There are considerable benefits in seeking advice before making an application. These include:

- an opportunity to shape development at an early part of the development process and can lead to quicker decision making;
- ensuring that your application is complete, comprehensive and to a satisfactory standard therefore avoiding rejection at the validation stage or early refusal because of inadequate or insufficient information;
- site specific information on what is needed for an application to be considered more favourably;
- an understanding of how national, regional and local guidance and policies will be applied to your development and identifies the need for any specialist input;
- an opportunity for wider engagement with other stakeholders where appropriate which can deliver better outcomes for all parties;
- the potential to reduce the time your professional advisors spend working up proposals;
- minimising the need to satisfy conditions before developments already granted planning permission, may commence; and
- an indication of proposals that are completely unacceptable, so saving the cost of pursuing a formal application.

What are the Charges?

A limited amount of free site specific advice is available for minor proposals along with generic advice available via the Council's website www.kent.gov.uk/planning. However site specific advice is chargeable for all major development for minerals and waste proposals and major County Council's community (Regulation3) development. The following charges are applicable and include administration costs and officers' time for research and assessment.

Meeting on Site (verbal advice)	£480 (including £80 vat)
Meeting at County Hall (verbal advice)	£360 (including £60 vat)
Written advice following either of above meeting	£180 (including £30 vat)
Subsequent meetings will attract a further meeting charge as above. Where additional specialist advice is required, consultant's fees will be charged at cost. Attendance of other officers at the meeting, including specialist advisors, will be at the case officer's discretion	
Written advice including commenting on a draft application (prepared following advice contained in the Council's validation documents)	Depending upon complexity of request – price upon application based upon hourly rate
Planning histories and solicitor enquiries	£180 (including £30 vat)
Work in connection with a legal agreement (post identification of the heads of terms)	£180 per hour (including £30 vat)

Major community development is defined as any of the following:

Proposed buildings over 1000m², or sites over 1ha or schemes subject to Environmental Impact Assessment.

Where pre-application advice is sought for multiple community projects that cumulatively exceed the threshold then the proposed charges will apply.

Major mineral and waste development is defined as:

all minerals and waste development other than minor amendments to working schemes, minor variations and discharge of conditions.

Post-determination Advice

Where detailed advice is provided post determination of a planning application, for example in relation to changes to approved development, the County Council reserves the right to charge for this advice at the same charging rate as the pre- application service set out above. Requests will be considered on a case by case basis irrespective of the type and

scale of development. Similarly, officer costs in connection with a legal agreement (post identification of the heads of terms) are chargeable to the applicant on a case by case basis.

How Do I Obtain Planning Advice?

If your enquiry is very straightforward and is one where free advice is provided you may telephone the Planning Applications Group for advice (01622 221070), email your request to planning.applications@kent.gov.uk or you may be able to find the information you need on our website – www.kent.gov.uk/planning.

Prospective applicants seeking advice that is chargeable are required to complete a **'Request for Chargeable Planning Advice'** form which is available on our website (www.kent.gov.uk/planning) and at our Invicta House office in Maidstone. This form sets out the information that is expected from prospective applicants to enable a quality advice service to be provided. In some cases it is recognised that not all of the information will be available, but the more information that you provide will help us deliver a more tailored and site specific response. As a minimum you should provide:

- A clear description of the proposed development and the uses to which land and buildings are proposed to be put;
- Full site address and site location plan (usually 1:1250 or 1:2500) with the development site outlined in red and land in the applicant's ownership outlined in blue;
- Outline of proposal in plan;
- Details of the current use of the land and buildings;
- Site history – what has the site previously been used for?
- For waste management development details of annual throughput, waste sources, waste types, potential catchment areas and estimated traffic movements;
- For mineral development details of quantities to be extracted or processed per annum, likely timescales and any 'value added' processes envisaged;
- Contact details including phone number and email address; and
- The appropriate fee.

Additional information would usefully include:

- Sketch drawings showing height/scale of development and elevational details;
- Photographs and/or sketch drawings showing the site, buildings and trees as existing;
- Details of materials;
- Proposed access arrangement and vehicle movements including number of HGVs;
- For County Council school developments, any additional staff and/or pupil numbers;
- Draft floor plans and number of storeys in height;
- Applicant's status regarding landownership of site
- Details of proposed mitigation;
- Details of survey work;
- Draft design and access statement (if needed);
- Any proposed Heads of Terms for s106 agreement (if needed); and

- For Environmental Impact Assessment development, related information or a draft environmental statement.

If you are seeking a meeting, there is the option to include the Council's specialist advisors. Their time will be charged at cost and can relate to bio-diversity, heritage and conservation, noise, dust, odour, geo-technics, lighting, stability, landscape and highway matters. Please note that specialist advisors will attend subject to availability and at the discretion of the Council. If you wish a specialist advisor in any meeting, please indicate on the form. Prior to confirming attendance, the planning officer will provide a fee for the attendance of the specialist advisor. This additional fee will need to be paid prior to the meeting.

Most of our planning advice service is expected to be via meetings. Based upon previous experience, this appears to be the preferred method for applicants. Should you require written advice without a meeting, then please complete the advice form and the Planning Applications Group will contact you to agree a price for the work based upon the complexity of the request.

All requests for chargeable information should be accompanied by the relevant fee made payable to Kent County Council. Please note that we will not be able to give chargeable advice without the fee. At present this service is only available by submission of a cheque.

What the Council Will Do

Within 3 working days of receiving a request for chargeable advice, the Planning Applications Group will contact you either by telephone or in writing to confirm that:

- Your request for advice has been received;
- That the fee is correct or, if a fee has not been submitted with the form, what the fee is;
- Any additional information that may be required; and
- The name of the case officer who will be providing the advice and their contact details.

Within 1 week of receiving a valid request, the case officer will contact you and agree a suitable time and date for any meeting. The timing of the meeting will depend upon the complexity of the proposal, the amount of preparation work needed prior to a meeting and availability of any specialist advice that may be needed. Where no meeting is requested, the case officer will confirm the timescale for issuing their advice. The target date for responding to a valid request is 30 working days, although we will aim to respond quicker than this.

Where written advice is required following a meeting, the timing of this will be agreed at the end of the meeting. This will usually be within 15 working days of the meeting.

What Will Our Advice Contain?

The planning officer will identify:

- key planning considerations which need to be taken into account in preparing any planning application;
- the need for any specialist input;
- informal and without prejudice officer advice on the planning merits including an indication if the proposal will be completely unacceptable or not;
- advice about the Council's development control (management) process including consultation processes, likely timetable of consideration and estimation of decision date or Planning Application Committee date where applicable; and
- where appropriate suggest pre-submission consultation with identified stakeholders.

Where you have requested a planning history, details of previous relevant planning decisions held by the County Planning Authority will be included.

What if you Choose Not to Seek Advice?

So as to make best use of resources, applications will *normally* proceed to determination on the basis of information provided in the application without recourse back to the applicant. Applications for particularly poor quality proposals without pre-application discussions are likely to be returned if not valid or refused on insufficient information.

Important Notes

Please note any views or opinions expressed in responses are made at officer level in good faith, and to the best of ability, without prejudice to the formal consideration of any planning application which will be subject to public consultation and ultimately determined by the County Council as Planning Authority.

The final decision on any application that you make is made only after the County Planning Authority has consulted the local community, statutory consultees and any other interested parties as part of the formal planning application process and taken into account the comments that they may raise.

Any advice given by officers does not constitute a formal response or decision of the County Council. In no event will the County Council be liable for any loss or damage including without limitation, indirect or consequential loss or damage, or any loss or damage whatsoever arising from or in connection with, the use of the advice.

The pre-application advice given may not necessarily be exhaustive but will be intended to highlight the main issues that need to be addressed/considered as part of the application process on the basis of the discussions that have taken place and the information that is available at the time.

Any pre or post application advice that has been provided will be carefully considered when reaching a decision or recommendation on an application or planning submission; subject to the proviso that circumstances and information may change or come to light that could alter that position.

In providing written advice planning officers will not draft planning statements or other reports to accompany applications, as that is the responsibility of the applicant. In this respect the applicant should appoint its own professional advisers as necessary, particularly on more complex proposals.

Should the detail or the nature of the proposal change from those given, further advice should be sought. Similarly, once the detail of any proposal has been worked up if not previously available, it may be helpful to seek further advice prior to the submission of an application.

The advice and any attachments to it are solely for the use of the individual to whom it is addressed. If you are not the intended recipient of the advice, you must neither take any action based upon its contents, nor disclose this communication to a third party.

The Head of Planning Applications has the right to decline a request made for pre-application advice where it is not considered either appropriate or necessary.

Sharon Thompson
Head of Planning Applications
Kent County Council
01622 696052
Sharon.thompson@kent.gov.uk

Request for Chargeable Planning Advice



Please complete all sections of the form and use block letters. Upon completion submit this form, plans and supporting information and the correct fee to Planning Applications Group, Invicta House, Maidstone, Kent ME14 1XX or email to planning.applications@kent.gov.uk.
Please read the Guidance Notes to help you complete this form.

1. Your Details	
Applicant Name and Address:	Agent Name and Address:
2. Contact Details	
Name:	Email:
Daytime Tel No	Mobile No:
3. Interest in the Property/Land	
Please state your interest in the property/land e.g. owner, developer, prospective purchaser	
4. Location of Proposed Development	
Please provide the site address of the development site including postcode	
5. Description of Proposal	
Please provide a detailed description of the proposed development	
6. Viewing the Site	
Can the whole site be seen from the road or public land?	Yes / No
7. Freedom of Information Act	
If you consider your enquiry to be confidential, please set out the reasons why, and for what period any information should remain confidential	

9. What Advice are you seeking?	
Meeting on Site (verbal advice) <input type="checkbox"/>	Planning histories/solicitor enquiry <input type="checkbox"/>
Meeting at County Hall (verbal advice) <input type="checkbox"/>	Work in connection with a legal agreement (post identification of the heads of terms) <input type="checkbox"/>
Written advice following above meeting <input type="checkbox"/>	Written advice including commenting on a draft application (prepared following advice contained in the Council's validation documents) <input type="checkbox"/>
10. Do you require additional specialist advice? Yes / No	
Please see Guidance Note for further details	
If yes please specify which	
11. Attached Supporting	
If you are unsure about the level of detail to be submitted please refer to the guidance notes for further advice. Details with an * are mandatory	
Site location plan (e.g. 1:1250 or 1:2500) with the site outlined in red and other land within the ownership of the applicant in blue* <input type="checkbox"/>	Details of the current use of the land and building* <input type="checkbox"/>
Outline of proposal on plan* <input type="checkbox"/>	Draft design and access statement <input type="checkbox"/>
Photographs and/or drawings showing site, buildings and trees as existing <input type="checkbox"/>	Sketch drawings showing height/scale of development and elevational treatment
For waste management development details of annual throughput, waste sources/types and potential catchment areas* <input type="checkbox"/>	For mineral development details of quantities to be extracted or processed per annum, likely timescales and value added processes* <input type="checkbox"/>
Site history – what has the site previously been used for? <input type="checkbox"/>	Proposed access arrangements and vehicle movements including number of HGVs* <input type="checkbox"/>
Other Supporting Information – please specify	
12. Payment and Declaration	
I (the undersigned) confirm that planning advice is requested and enclose a fee of £ as payment for the planning advice service. Please make cheques payable to Kent County Council.	
I also agree to pay any additional sums arising from the provision of the service as required, as outlined in the Planning Advice Charging Guide.	
Signed:	Date:
Office Use Only	Ref No:
Date Recd	Officer:

