



ADUR & WORTHING COUNCILS

Pre Application Advice Charging Scheme *(Commenced from 3rd October 2016)*

Why make a pre application enquiry?

Both Adur and Worthing Councils have operated a free pre-application service for a number of years and this has provided a valuable assistance to applicants, developers and agents to help prepare planning applications and secure the necessary planning permission.

However, the majority of Councils now charge for such services and both Councils have now agreed that charging is necessary to provide a cost effective development management service.

The National Planning Policy Framework encourages engagement with Local Planning Authorities and local communities to achieve early consideration of fundamental planning issues and improved outcomes.

Discussions about schemes before they are formally submitted as planning applications can help steer proposals into a form that are more likely to be acceptable whilst leading to the reworking or dropping of proposals that appear to be fundamentally unacceptable.

Entering into pre application discussions will help save time, wasted expense and avoid frustration.

Further benefits include:

- Avoiding incomplete applications that cannot be registered
- Reducing the number of unsuccessful applications
- Reducing confrontation in the planning process
- Raising the quality of development
- Gaining community acceptance
- Securing satisfaction with the process

We will expect that guidance given by the planning officers is taken into account in the preparation and development of your proposals. Where it is evident that pre application advice has not been sought or taken into account in a subsequent planning application, the Councils may not negotiate on a scheme and applications could be determined as submitted.

What is covered by the Charging Scheme?

The charging scheme covers all requests for pre-application advice regardless of whether a meeting or written response is requested. The charging scheme includes the cost of providing specialist design, historic buildings and archaeology advice where necessary.

The following exemptions apply:

- General planning advice on householder development proposals
- Incidental advice or information given by telephone
- Where the works are required to meet the needs of a person's registered disability
- Discussions in relation to enforcement matters
- Enquiries relating only to listed building consent – these will be dealt with directly by the Councils' Design and Conservation Officer
- Enquiries relating to advertisements and demolition of unlisted buildings in conservation areas (conservation area consent)

In addition, the charging scheme will not apply to advice given by the following organisations:

- West Sussex County Council
- Housing Associations (unless a mixed market/affordable scheme is proposed)

Generally, we will expect developers and agents to seek advice on trees from arboriculture consultants and will not therefore provide advice to individuals on tree related matters.

You should also be aware that advice in relation to the highways aspects of development is available from West Sussex County Council as the Highway Authority. Advice in relation to flood risk is available from the Environment Agency.

What will it cost me to obtain advice?

From the 3rd October 2016 the following charges apply:

We WILL charge for advice on:	Level of Charge:
<p>'Minor' Residential development of 1-4 dwellings or Commercial floor space up to 499 sqm.</p> <p>Initial written advice based on a desk top study and/or meeting on site or at the Council offices (if required).</p>	<p>Fixed Fee £150 + VAT</p> <p>A subsequent meeting with Officers will be charged at the above rate.</p> <p>For additional written responses only, these will be charged at 50% of the fixed fee.</p>
<p>Residential Development of 5-9 dwellings or Commercial floor space between 500-999 sqm.</p> <p>Up to 1 hour meeting on site or at the Council offices followed up by written advice.</p>	<p>Fixed Fee £350 + VAT</p> <p>Any additional meeting with Officers will be charged at the above fixed fee.</p>
<p>'Major' Residential Development of 10-49 dwellings or Commercial floor space of 1,000 to 4,999 sqm.</p> <p>Up to 1 hour meeting on site or at the Council offices followed up by written advice</p>	<p>Fixed Fee £550 + VAT</p> <p>Any additional meeting with Officers will be charged at the above fixed fee.</p>
<p>Significant Major Residential Development (50+ dwellings) or Commercial floor space of more than 5,000 sqm.</p> <p>Up to 1 hour meeting on site or at the Council offices followed up by written advice.</p>	<p>Fixed Fee £750 + VAT</p> <p>Each additional meeting with Officers will be charged at the above fixed fee.</p>

Validation of pre-app will not take place unless/until payment is received.

Payments can be made by cheque (payable to 'Adur District Council' for applications in Adur or 'Worthing Borough Council' for applications in Worthing) or debit/credit card by telephone on 01903 221065, Monday to Friday between 10am and 4pm.

The table above outlines the service that the Councils will provide depending on the type of case involved. A written reply setting out the Councils' pre application advice will be provided in every case. Depending on the complexity of the case the Planning Officer will determine whether a site visit is necessary and more than one meeting is likely to be required 'major'/'large major' schemes. The fee payable includes the cost of specialist advice on design and heritage matters although specialist advice from West Sussex County Council is likely to incur additional charges (for access to Historic Environment Records (HERs) for instance).

For the most significant schemes or strategic scale development, a Planning Performance Agreement (PPA) is likely to be more appropriate in which the process of dealing with the proposal in accordance with a timetable, principles and procedures are agreed with the applicant. A Planning Performance Agreement would be drawn up at the pre-application stage and would lead the process through the application stage.

How do I obtain pre application advice?

Requests for pre-application advice should be made by e-mail to 'planning@adur-worthing.gov.uk' or in writing to the Planning Services Manager with a subject heading of *Pre-Application Advice*. Alternatively, you may wish to complete and send to us the Pre-Application Advice form which is available on our website. This form sets out the information required for a request to be accepted.

Upon receipt of your request for pre application advice, we will aim to contact you within 5 working days either to request further details or to confirm that your request is complete and has been allocated to a Case Officer for action.

What do I need to do before advice can be given by the Councils?

As a minimum, we will expect the following to be provided to enable your request to be actioned:

- Payment of relevant fee (by cheque, debit card or credit card)
- Completed Pre Application Advice form
- Location and site plans
- Sketch or indicative plans of the proposal
- Supporting studies/information (for major schemes)

To ensure that requests for pre-application advice are as productive as possible, applicants or their agents will be expected to provide sufficient information and plans to describe and explain their proposals including:

- An assessment of the character of the area
- An analysis of the opportunities and constraints of the site in its context.

These details will be used to promote a design led approach to the scheme and will enable the Councils to assess whether a development team including specialist officers should be brought together.

What can I expect from the process?

Requests for advice will be allocated to case officers according to their complexity. Major schemes will normally be dealt with by a senior officer. To ensure that the process is as seamless as possible, the case officer will usually deal with any subsequent planning application.

We will aim to provide a written reply or arrange a meeting within 25 working days from the date your request is accepted as complete, except for the more complex proposals where we may need to agree a longer timescale with you. We will endeavour to reply to householder enquiries quicker than this where possible.

Where a meeting is held, a written summary of the main points will be sent within 10 working days of the meeting. Our preferred method of written communication is via e-mail and this will be used wherever possible.

In the case of major development proposals, it may (at the officer's discretion) be necessary to consult statutory consultees and other groups prior to providing advice. In such cases, the pre application process may take longer in order that we are in a position to provide a comprehensive response.

The case officer will assess the submitted information and will aim to provide you with constructive comments on the scheme in relation to the following so far as they are relevant:

- Relevant development plan policies and other Council strategies that may have a bearing on the proposal
- Site constraints, e.g. statutory designations such as conservation areas, Tree Preservation Orders and other constraints including listed buildings, flood zones and rights of way.
- Relevant planning history
- The details of the proposal, i.e. the acceptability of the land use, design and amenity considerations and highways and access issues where appropriate
- Infrastructure requirements, including the need for affordable housing, open space and contributions towards Council or County Council services.

What if a subsequent decision on an application does not follow the advice I was given?

Advice given will be based on the case officer's professional judgement and assessment of the information provided. Pre-application advice whether favourable or not is given on a 'without prejudice' basis since the Councils must on submission of an application go through the statutory procedures and formal consultations and assess the outcomes before a decision can be made

Whilst advice will be given in good faith, we cannot guarantee that a subsequent planning application will be successful. We nevertheless believe that pre application advice is an extremely important part of the planning process. Fees for pre-application advice will not be refunded and do not affect any statutory planning application fee subsequently required.

What if I disagree with the advice received?

We recognise that you may not agree with the advice you receive and it remains open to you to reject the advice and submit a formal application for determination. Except where additional meetings are deemed necessary for major and large major proposals, pre-application advice is provided for the scheme submitted only. Significant changes to a submitted enquiry may need to be the subject of a new enquiry and may require a further fee.

Confidentiality

Requests for pre application advice and the response provided will not be placed on the Councils' website. There is however the possibility that under the Freedom of Information Act, we will be asked to provide information about enquiries for advice and copies of any advice given. We will need to decide whether such information can be treated as exempt from disclosure, for example if it is clear that its release could prejudice commercial interests. You are therefore encouraged to indicate whether and for how long any information needs to remain confidential when making your request for advice.