

## APPENDIX E

### GUIDANCE NOTES FOR PRE-APPLICATION ADVICE

#### E.1 Introduction

South Cambridgeshire District Council welcomes and encourages discussions before a planning application is submitted. Such discussions can assist in better quality applications, which stand a better chance of a successful outcome.

There are considerable benefits in seeking advice before making an application:

- It gives you the opportunity to understand how policies and guidance will be applied to your development
- It can identify at an early stage where there is a need for specialist input, for example about urban design, listed buildings, trees, landscape, noise, transport, contaminated land, ecology or archaeology
- It may lead to a reduction in time spent by your professional advisors in working up proposals, identifying potential problems and sorting them out before an application is submitted
- It may indicate that a proposal is completely unacceptable, saving you the cost of pursuing a formal application
- It will ensure that you provide all the necessary information and drawings to enable the application to be registered as valid.

#### E.2 Charging

For details see the Council's website or contact the Planning Duty Officer on 01954 713155

Exemptions from charging

- People with disabilities
- Charities
- Parish Councils
- Permitted development proposals caught by Art 4 Directions
- Householder developments
- Small businesses (up to 5 employees)
- Works to listed buildings and demolition in conservation areas
- Trees

#### E.3 General Advice

There are some general points, which you should take into account before you contact us:

- Try to contact us at the earliest reasonable opportunity in your project
- Undertake some initial research yourself by using the planning pages on the Council's website [www.scamb.gov.uk](http://www.scamb.gov.uk)

- Sound out the views of those that may be affected by your proposals
- The more information you can give us, the more accurate and helpful our response can be - vague proposals may only receive vague advice. The key to the success of this service will be providing adequate information in advance, and
- On complex issues be prepared to seek private professional help - our service is not intended to be an alternative to employing professional consultants.

#### **E.4 What areas can be covered in pre-application discussions?**

The matters, which could be subject to pre-application discussions, include:

- Planning history of the site;
- The surrounding context of the site;
- Statutory designations and site constraints (Conservation Areas, Green Belt, Sites of Special Scientific Importance, Protected Species etc);
- Relevant planning policies;
- The likely requirements for developer contributions;
- Informal and without prejudice comments on the preparation, content and presentation of an application;
- The need for additional information such as an Environmental Impact Assessment (if relevant);
- The Design and Access Statement (if relevant to the type of application) refer to the CABI guidance document;
- The contents of the application to ensure that it can be registered as a valid application;
- Providing an adequate level of biodiversity information, collected at the correct time of year.

#### **E.5 What is the procedure for seeking pre-application advice?**

1. Within 5 working days of receiving a request the Council will contact you by phone or email to confirm the following:
  - i. That the Council is prepared to offer pre-application advice (the Council has the right to decline a request for pre-application advice where it is not considered appropriate
  - ii. To confirm what information should be submitted;
  - iii. To provide the name of the case officer who will be dealing with the enquiry;
  - iv. To suggest dates for a pre-application meeting if this is required (normally within 10 working days of receipt of all the information requested).
2. If a meeting is considered necessary the date and venue will be confirmed. Normally this will be at the Council offices, but site meetings will be arranged if appropriate

3. The Council will endeavour to provide written advice (prepared by the case officer and agreed with a senior manager) within 10 working days unless an alternative timescale has been agreed between the parties, for example, to allow consultation with other organisations or individuals;
4. Anyone using this service should note the following important information:
  - Any advice given by Council officers in response to pre-application enquiries does not constitute a formal response or decision of the Council in respect of any future planning applications;
  - Any views or opinions expressed are given in good faith, based on existing planning policies, standards and the information provided at that time, without prejudice to the formal consideration of any future planning application;
  - It should be noted that policies, constraints etc. change from time to time and may affect the advice given. The weight that can be given to pre-application advice will therefore decline over time;
  - The provisions of the Freedom of Information Act bind the Council, as a public authority, and therefore it should be presumed that information supplied to the Council is likely to be disclosable under the above Act. If the applicant wants information to remain confidential, he/she should state clearly why. Information sent to the Council "in confidence" may still be disclosable under the above Act. Before sending such information the applicant is advised to take legal advice if there are fears that disclosure would prejudice himself/herself in some commercial way
  - Any advice given in relation to 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.

#### E.6 **What the applicant should provide for the pre-application meeting.**

The applicant will need to write to the Council including the following as a minimum:

- Proposed developments involving 100 dwellings or more or 10,000 sq.m of floor space or more, should be accompanied by an initial outline for the proposal **including** if possible a draft **Masterplan** for the site;
- Description of the nature and scale of development proposed and the uses to which land and buildings are to be put;
- Full site address and location plan (1:1250 scale) with the site outlined in red;
- Site history i.e. occupancy of the site;
- Photographs of the site and adjoining properties affected by the development

- For proposals, which will be submitted as full or reserved matters applications, sketch drawings providing details of the proposal. Floor plans for each floor of the proposed building together with at least sketch elevations that are sufficient to indicate the initial architectural approach and palette of materials should be provided. Drawings should also show any adjacent buildings and boundaries to identify the context of the scheme;
- Draft of Design and Access Statement (if relevant to the type of application) and
- Presence of protected species.

#### **E.7 How will the advice be structured?**

The written advice will depend upon the information presented (please see 'what the applicant should provide'). Advice will usually be in the form of a written report considering the following areas:

- Relevant planning history;
- Relevant policies and constraint;
- Whether the proposed type of development is acceptable in principle;
- Recommended consultations before the application is submitted;
- Issues relevant to the type and scale of proposed development, such as: urban design (encapsulates design and its surroundings), amenity, transport and environmental issues including noise, contamination, flooding, drainage and biodiversity;
- Developer contributions;
- List of additional information, which will be required from the adopted Local List to validate an application.

#### **E.8 Disclaimer**

You should be aware that any advice given by the Council in relation to pre-application enquiries will be based on the case officer's professional judgement and will not constitute a formal response or decision of the Council with regard to any future planning applications. Any views or opinions expressed, are given without prejudice to the consideration by the Council of any formal planning application, which will be subject to wider consultation and publicity. Although the case officer may indicate the likely outcome of a formal planning application, no guarantees can or will be given about the decision that will be made on any such application.

The Council positively encourages applicants to enter into pre-application discussions but if a major or minor application is submitted without such discussions, the Council may determine the application as submitted without post submission discussions.

#### **E.9 Freedom of Information Act**

The Freedom of Information Act 2000 requires us to make all documents available to members of the public, if requested. Pre-application advice can

only be treated as confidential if there are clearly demonstrable issues of commercial sensitivity or other significant reasons why this information may not be made public. (Any enquiry in this category should be clearly marked as confidential). If a planning application is made as a result of pre-application advice, **all** documentation may be publicly available, as they will form background papers to the application.

#### **E.10 Our Commitment to You**

If the Council exceeds a period of 8 weeks to provide a written response (unless a longer period of time has been agreed in writing), and is at fault, a refund will be given to show our commitment to this service.

