



## PRE-PLANNING APPLICATION ADVICE GUIDANCE NOTES

The Town and Country Planning (Pre-Application Services) (Wales) Regulations 2016 require all local planning authorities in Wales to provide a statutory pre-application service from 16 March 2016. Qualifying applications are applications for full and outline planning permission but does not include retrospective developments.

Powys County Council will also be providing some non-statutory services in respect of applications for listed building consent and advertisement consent.

### BENEFITS OF THE SERVICE

- It will identify those schemes which have little or no realistic chance of getting planning permission and highlight the 'show stopping' issues. This will potentially save you time and money on a scheme that is unlikely to get planning permission.
- It will set out key issues that the proposed development will need to address.
- It gives you an opportunity to understand how policies will be applied to your development.
- It will potentially help to resolve issues before the application is submitted thus making the process of getting planning permission smoother.
- It will start to build and establish a working relationship with planning officers and other council officers who will be involved in processing your application.
- It will improve certainty for users of the planning system.

### YOUR REQUEST MUST INCLUDE

Any request for pre-application advice must include:

- A completed pre-application enquiry form
- Include the particulars specified or referred to in the form
- The correct fee (see charging schedule)

Any drawings required to be provided must be drawn to an identified scale and, in the case of location and block plans, must show the direction of north.

### WHAT ARE THE CHARGES?

The relevant charges are set out in the charging schedule. The fees that can be charged for statutory pre-application services are the same across Wales, although vary depending upon the size and scale of the proposed development.

### WHAT YOU CAN EXPECT FROM THE SERVICE

When the local planning authority receives a valid request for pre-application services, we will send you an **acknowledgement** of the request within **5 working days**.

You will receive a **full response** within **21 days** beginning with the day on which a valid request for pre-application services is received, or such other period as may be agreed in writing between you and the authority.

All requests will undergo consultation with the Local Highway Authority, the Council's Environmental Health Department, the Council's Contaminated Land Officer and the Council's Ecologist. Responses cannot be guaranteed. We will not consult with bodies that are external from the Council but you can approach statutory consultees directly if you require further information prior to the submission of an application.

## **RESPONSES WILL INCLUDE**

- The planning history of the land on which the proposed development is to be carried out, so as far relevant to the proposed application.
- The provisions of the development plan, so far as material to the proposed application.
- Any supplementary planning guidance, so far as material to the proposed application.
- Any other considerations which are or could be material in the opinion of the authority.
- The initial assessment of the proposed development on the basis of the information provided above.

### **In addition and where applicable**

- Whether planning obligations (within the meaning of section 106 of the 1990 Act (planning obligations)) are likely to be required and, if so, an indication of the likely scope of such planning obligations, including an indication of any sum which may be required to be paid to the authority
- Details of any documents and particulars or evidence that would be required for a subsequent application to be a valid application.

## **PLEASE NOTE**

- Pre-planning application advice will not guarantee planning permission or a formal view of the Planning, Taxi Licensing and Rights of Way Committee. The final decision on any application that you may subsequently make can only be taken after the Authority has consulted local people, statutory consultees and all other interested parties. The final decision on an application will be made by the Planning, Taxi Licensing and Rights of Way Committee or under delegated powers in accordance with the Authority's approved scheme of delegation and will be based on all of the information at that time. You should therefore be aware that Officers cannot guarantee the final formal decision that will be made on your application(s).
- Any pre application advice that has been provided will be carefully considered in reaching a decision or recommendation on a subsequent application but please note that circumstances and information may change or come to light that could alter that position.
- Requests for meetings will only be granted in connection with schemes that are also subject to a statutory pre-application enquiry and cannot be sought in isolation. Meetings do not form part of the statutory service and will be subject to additional charges. The attendance of internal consultees cannot be guaranteed.
- The Council has the right to decline a request for pre application advice where it is not considered either appropriate or necessary.

## **FREEDOM OF INFORMATION AND ENVIRONMENTAL INFORMATION REGULATIONS**

Pre application advice information may be subject to requests under the Freedom of Information Act 2000 and the Environmental Information Regulations 2004. If you consider that the information you provide is commercially sensitive or should be confidential for other reasons, and therefore not subject to the disclosure requirements, you should include a statement to this effect and the reasons for it as part of your written submission. The Council will endeavour to ensure confidentiality but any such request must be marked confidential and must clearly state demonstrable issues of commercial sensitivity and the prejudice it would cause to you or other significant reasons why this information may not be made public. You should take legal advice if you have any concerns regarding this matter.

## **USEFUL CONTACT DETAILS AND WEBLINKS**

Address: Development Management, Powys County Hall, Spa Road East, Llandrindod Wells, LD1 5LG

Development Management Telephone Numbers: 01597 827169 or 01938 551259

Development Management Email Address: [planning.services@powys.gov.uk](mailto:planning.services@powys.gov.uk)