

Service standards for charged-for pre-application planning advice

Introduction:

Whilst pre-application advice is always given in good faith and on the basis of the facts available at the time, the advice you are given is not binding on the council in the event of the submission of a planning application, when full consultations will be undertaken and a full assessment will be made.

North East Derbyshire District Council retains the right not to respond to requests for pre-application advice which are not entered into cordially or objectively.

Enquiries as to whether planning permission is required

In response to such enquiries, you will receive a 'yes' or 'no' answer as part of the free service.

If the answer to your enquiry is 'yes' and you would like advice on the likelihood of planning permission being granted, that request will be treated as a pre-application enquiry and will be subject to the relevant validation information, fee and target response timeframe as set out in the Fee Schedule.

If the answer is 'no', you will be advised to submit a Certificate of Lawfulness as this will give you the official documentation that you would require in any future sale of your property.

How your pre-application request will be processed

Advice will be based on the proposals as originally made in writing. Consequently, proposers are urged to ensure that sites can be readily identified, and that proposals are adequately described, to enable a meaningful response. To this end, site location maps, block plans, and written descriptions including details of the scale of proposals are required. Detailed elevations are encouraged especially in conservation areas, and where proposals concern listed buildings. Please see the validation criteria for each category in the 'Terms of Service' section of the Fee Schedule.

All proposals will receive a planning history and planning policy review. Proposals for non-householder minor or major development will also receive an unaccompanied site visit from the public realm. It may be necessary to make arrangements to access land and property to undertake an appropriate inspection.

Requests for a meeting will normally result in the offer of a meeting within four weeks of receipt of the detailed enquiry and fee.

All written responses to proposals will include a list of the validation requirements for a planning application for those proposals, the heads of terms to be sought in any supporting Section 106 (s106) agreement for such an application, and a list of the consultees North East Derbyshire District Council would approach on receipt of such an application.

North East Derbyshire District Council cannot be held accountable for advice from third parties, including the Highways Authority or other statutory consultees. Consequently responses from third parties on proposals cannot be guaranteed within the above timescales, and may be subject to additional fees payable to them by the proposer.

Where additional meetings can be requested, as detailed on the Fee Schedule, these will be to discuss minor revisions to the existing pre-application submission, which will need to be submitted to the case officer at least 10 working days before the meeting.

The case officer will be responsible for making the judgement as to whether the additional information does constitute a minor revision to the original pre-application submission. Changes that are considered not to be minor will be considered as a new pre-application advice request, subject to the validation requirements, the full fee and relevant timescale for response as set out in the Fee Schedule.

Timescales for written responses.

We aim to respond to pre-application advice requests within the timeframes set out for each category in the Fee Schedule.

Where the case officer needs additional time to provide a written response to your request for advice, they will provide a written update to this effect and give a revised target date for a written response to the pre-application request (including a reason as to why additional time is needed.)