

**D r a f t**

# GUIDANCE ON TONBRIDGE AND MALLING BOROUGH COUNCIL'S CHARGES FOR PRE-APPLICATION PLANNING ADVICE



The Development Control (DC) Section is able to provide you with advice and information on a variety of matters that you will need to consider before you make any application for planning permission or another allied consent. Under new Government provisions, which come into force on 06 April 2008, there will be additional matters that you will have to provide to the Council before it can register and deal with your application.

Further information is available on the planning pages of our website [www.tmbc.gov.uk](http://www.tmbc.gov.uk). – follow the links from the “Online Planning – planning and building service online building” button.

In order for us to be able to improve and maintain our current levels of service, we already make charges for some services, in addition to the fees payable for the submission of applications, such as the cost of planning research. The Government has indicated that it intends to introduce charges for the Council to consider minor amendments to permissions and consents and checks to establish if a development has been carried-out in compliance with the relevant permission. The full list of charges is available on the Fees for Planning Services leaflet. To ensure that it can operate as effectively as possible the Council is now to charge for some pre-application planning advice

***This leaflet deals solely with the arrangements now in place for handling pre-application advice.***

## **WHY SHOULD YOU SEEK ADVICE?**

**We encourage and welcome the opportunity to provide advice before an application is made. We aim to:**

- Provide advice that is constructive, clear and helpful
- Give you an opportunity to understand how planning and other relevant policies and guidelines will be applied to your proposal.
- Identify at an early stage where you should consider the need for specialist input, for example about Listed Buildings, trees, landscape, noise, transport, contaminated land, ecology or archaeology.
- Advise you in preparing proposals for formal submission which should then be able to be handled more efficiently and with better prospects of a more

positive outcome if the advice has been followed and there are otherwise no fundamental problems with the subsequent application.

- Indicate if and why a proposal is fundamentally unacceptable and where possible suggest alternative approaches

#### **WHAT ARE THE CHARGES FOR ADVICE?**

Some telephone and written advice will still be provided free of charge but, for the remainder, a simple charging system is in operation.

#### ***What we will NOT charge for advice on...***

- Applications for extensions to dwellings or other domestic alterations
- Works to Listed Buildings or in relation to Conservation Area Consents
- Works to trees
- How to apply for a Lawful Development Certificate (LDC) to decide if planning permission is required. (There is statutory charge to decide an LDC application itself)
- Planning matters relating to a planning Enforcement investigation
- Issues relating to the implementation of a planning permission.

#### ***We WILL CHARGE for advice on...***

##### **Type 1. Major applications**

- 10 dwellings or more;
- residential sites of 0.5ha. and above;
- non-residential development of 1000m<sup>2</sup> floorspace or more; or
- non-residential sites of 1.0ha. and above).

We would expect to deal with these matters by meeting at **£293.75 per hour** (£250 +VAT) (or part thereof). Each meeting will be charged separately.

##### **Type 2. Minor applications including single dwellings (new or replacement)**

- Development which is not in 1 above nor 3. (nor on the list for the free service)

We would normally deal with these cases by letter at **£117.50** (£100 + VAT)

##### **Type 3. Other applications**

- Change of Use
- Advertisements
- Telecommunications

We would normally deal with these cases by letter at **£58.75** (£50 + VAT)

Should you seek a meeting for a Type 2 or 3 proposal and we agree that it would be an efficient and effective approach to identifying and resolving any issues, then the meeting will be charged at the Type 1 level fee and no other fee will be levied.

These fees cover administration costs and Officers' time for research, assessment, a meeting as necessary and a written response.

Any request for written advice must be accompanied by the relevant fee otherwise advice will not be provided.

Each project or separate site referred to in an enquiry will be charged at the appropriate rate.

The charge for meeting will be agreed at the end of each meeting in accordance with the time taken and the fee scale above. An invoice will then be forwarded to you. Payment will be required within 21 days of the date of the invoice.

#### **WHAT YOU WILL NEED TO DO**

If your enquiry is very straightforward, and is one where free advice is provided you may telephone Development Control for advice (telephone 01732 876230 - fax 01732 876363), write to us, or email to [planning.applications@tmbc.gov.uk](mailto:planning.applications@tmbc.gov.uk).

You may be able to find the information you need on our Internet site – [www.tmbc.gov.uk](http://www.tmbc.gov.uk).

We will normally ask you to send us details of your proposal if you want us to comment on a particular building, extension, design etc.

For Type 1 or 2 enquiries you should send us the following as a minimum:

- 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 and current/previous uses.
- Photographs of the site.
- 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. Drawings should also show any adjacent buildings to identify the context of the scheme, and
- The appropriate fee.

Major (Type 1) enquiries will also need to include confirmation in writing of your agreement to pay a fee in accordance with the Council's current charges. They may also need to be accompanied by an initial design and access statement, ecological,

landscape, contamination, flood and transport assessments depending upon the location, nature and complexity of the development.

#### **WHAT WE WILL DO**

On receipt of your initial enquiry, we will decide whether it is a Type 1, 2 or 3 enquiry. If it is a Type 2 or 3 matter, we will then check that the appropriate fee has been paid. If it has not, we will contact you confirming that we will not progress your enquiry until the appropriate fee has been paid.

If the fee has been paid or the proposal is a major one (Type 1), then your enquiry will be allocated to an appropriate Officer. The senior officers of DC will decide the most appropriate officer to deal with it. An acknowledgement will be sent within 3 working days of a valid enquiry being received in the DC and it will include a receipt for any fee paid, confirmation of the officer handling it and the date you may expect to receive a written reply to a Type 2 or 3 enquiry (normally 15 working days from receipt). This written reply setting out our advice will comprise the service for the standard charge. Further enquiries will be charged another fee.

If we do not have enough information to answer your enquiry then we will write to you by letter or email, setting out what information we need to proceed further.

If the enquiry relates to a Major proposal, then you will be contacted by the Officer allocated to your enquiry, who will confirm whether there is sufficient information to provide advice and, if not, will ask for additional information. They will arrange a suitable date for a meeting and request confirmation in writing, if not already received, that you agree to pay the appropriate charge at the relevant hourly rate. The timing of the meeting will depend upon the complexity of the scheme and the amount of work that will be needed prior to a meeting including any time necessary to obtain initial views of other relevant parties. Attendance of other officers at the meeting, including specialist advisors, will be at the Council's discretion.

At the end of the meeting, the appropriate fee will be agreed and this agreement will be formally recorded in writing. Following the meeting, we will write to you confirming the advice given. This will usually be within 15 working days unless the proposal is particularly complex, when an alternative timescale will be agreed at the end of the meeting.

The written response will be verified by a Senior Manager in DC, as appropriate and will outline the significant planning issues, matters agreed or raised at the meeting, and other constraints and requirements which have been agreed with the Council. You may also take notes at the meeting and if you wish, we will be happy to check these as necessary.

*The Council reserves the right to decline a request for pre-application advice where it is not considered either appropriate or necessary.*

#### **PLEASE NOTE**

Any advice given by Council Officers for pre-application enquiries does not confirm or indicate the formal decision that will be reached by the Council as Local Planning Authority in due course. Any views or opinions are given in good faith and designed to be of positive assistance with the planning process but are without prejudice to the formal consideration of any planning application. The final decision on any application that you may then make can only be taken after the Council has consulted local people, statutory consultees and any other interested parties. The final decision on an application will be made under powers delegated to the Director of Planning, Transportation and Leisure or by the appropriate Area Planning Committee and will be based on all of the information available 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 recorded and carefully considered in reaching a decision or recommendation on an application; subject to the proviso that circumstances and information may change or come to light that could alter that position.

It should be noted that the weight given to pre application advice notes will inevitably decline over time as circumstantial conditions also change over time.

Separate schedules of all of the Fees charged for Planning Services are available by telephoning 01233 876230 or on the planning pages of the Council Internet site [www.tmbc.gov.uk](http://www.tmbc.gov.uk).