



Pre-Application Planning Advice

(Applicable to all new enquiries from 1st April 2024)

Background

The Council encourages prospective applicants to discuss proposals before they are formally submitted. This pre-application service is known to improve the quality of planning submissions and speed up the process from submission to planning decision.

We will provide high quality advice and assistance to you in a structured, timebound manner. To cover the costs of this service we do charge a fee which relates to the level and range of officer support provided. This advice note provides information on what you will get through using this pre-application planning service and the charges applicable.

The pre-application advice service aims to offer you:

- An understanding of how national, regional, and local guidance and policies will be applied to the proposal.
- An indication of those proposals that are completely unacceptable, so saving the cost of pursuing a formal application.
- An opportunity to identify the main issues, concerns consultations and the need for specialist input at an early stage.
- Written confirmation of the advice given at the pre-application stage that can then be submitted in support of any subsequent application.

The Pre-application Service

Application Type	Is Planning Permission required?
Definition	Requests seeking confirmation as to whether planning permission is required for development.
Service	A letter to confirm whether planning permission is required for the activity or development described.
Charge	£90.00 + VAT = £108.00

Application Type	Householder
Definition	Development relating to individual residential properties, i.e. house extensions, garages, sheds etc.
Service	A letter to outline advice. A meeting or site visit provided if the Development Management Officer considers it to be required.
Charge	£90.00 + VAT = £108.00 or where the property is a Listed Building £190.00 + VAT = £228.00.

Application Type	Non-residential*
Definition	Non-residential – where no new floorspace is created.
Service	A letter to outline advice. A meeting or site visit provided if the Development Management Officer considers it to be required.
Charge	£133.00 + VAT = £159.60 or where the property is a Listed Building £233.00 + VAT = £279.60

Application Type	Telecommunications*
Definition	Telecommunications
Service	A letter to outline advice. A meeting or site visit provided if the Development Management Officer considers it to be required.
Charge	£183.00 + VAT = £219.60 or where the property is a Listed Building £283.00 + VAT = £339.60.

Application Type	Advertisements*
Definition	Advertisements
Service	A letter to outline advice. A meeting or site visit provided if the Development Management Officer considers it to be required.
Charge	£90.00 + VAT = £108.00 or where the property is a Listed Building £190.00 + VAT = £228.00

Application Type	Changes of Use*
Definition	Changes of Use – with no building works.
Service	A letter to outline advice. A meeting or site visit provided if the Development Management Officer considers it to be required.
Charge	£133.00 + VAT = £159.60 or where the property is a Listed Building £233.00 + VAT = £279.60

Application Type	Other Minor Development
Definition	Includes all other minor development proposals not falling within any of the categories such as variation or removal of condition, car parks and roads and certificates of lawfulness.
Service	A letter to outline advice. A meeting or site visit provided if the Development Management Officer considers it to be required.
Charge	£183.00 + VAT = £219.60 or where the property is a Listed Building £283.00 + VAT = £339.60.

****Additional Fee – An additional fee will be required in exceptional circumstances where the development proposed is significantly complex and would require specialist Officer and/or external input.***

Application Type	Minor Residential*
Definition	1-9 Dwellings
Service	A letter to outline advice. A meeting or site visit provided if the Development Management Officer considers it to be required.
Charge	£182.00 + VAT = £218.40 per dwelling up to 3.no dwellings. or £921.00 + VAT = £1,105.20 for 4-9.no dwellings. *An additional fee will be required in exceptional circumstances where the development proposed is significantly complex and would require specialist officer and/or external input, for example where the development is in a Conservation Area or involves Listed Building(s).

Application Type	Minor Non-residential*
Definition	All other minor non-residential development proposals e.g. leisure, hotels, retail up to 999m ² .
Service	A letter to outline advice. A meeting or site visit provided if the Development Management Officer considers it to be required.
Charge	£460.00 + VAT = £552.00 (up to 499m²) £921.00 + VAT = £1,105.20 (500m² to 999m²). *An additional fee will be required where Retail Impact Assessment Scoping work is required through the pre-app.

Application Type	Major Residential
Definition	10-199 Dwellings, Student accommodation developments for 10 or more students.
Service	A letter to outline advice. A meeting or site visit provided if the Development Management Officer considers it to be required.
Charge	£1610.00 + VAT = £1,932.00 (10 to 25 Dwellings/Student bedrooms) then £64.00 + VAT = £76.80 per additional dwelling/student bedroom (26-199 Dwellings/Student beds).

Application Type	Major Non-residential
Definition	1000-3000m ² floorspace
Service	A letter to outline advice. A meeting or site visit provided if the Development Management Officer considers it to be required.
Charge	£2,775.00 + VAT = £3,330.00* *An additional fee will be required where Retail or Traffic Impact Assessment Scoping work is required through the pre-app.

Application Type	Large scale Major Residential
Definition	200 - 1000+ dwellings/student beds
Service	A Development Team Service as explained below.
Charge	£64.00 + VAT = £76.80 per dwelling/student bed.

Application Type	Large Scale Major Non-residential
Definition	Over 3,000m ² floorspace. For mixed use schemes the component elements of the scheme (residential/non-residential) will be chargeable.
Service	A letter to outline advice. A meeting and site visit with a Development Management Officer and internal and external consultation with specialist officers as required. A Development Team Service as explained below if the proposed development of non-residential floorspace is over 3,000m ² and part of a mixed use development with 200+ dwellings.
Charge	£4,990.00 + VAT = £5,988.00* <i>*This is a minimum charge with the final charge being negotiated on the basis of the scale of development and the level of service required. A further bespoke charge may be required depending on the complexity of the development and range of issues that would need to be addressed in the pre-app process. E.g. additional fee will be required where Retail or Traffic Impact Assessment Scoping work is required through the pre-app.</i>

Any external consultants necessary to deal with aspects of the proposals that the council is unable to deal with internally will need to be funded separately. All legal costs will be charged separately.

These charges are on the basis of the work required relative to the scale of development proposed. The fees will be subject to regular review. Fees are not refundable once a request for pre-application advice has been made and are not deductible from planning application fees. Payment will be required before any of the above services are provided.

Payments for Large Scale Major development can be made in instalments. Agreement of a schedule of fees would be required which will be tailored to the key milestones reached and the input provided by specialist professional officers.

The Information we need from you

- A site location plan (1:1250 scale) with the site area and the site outlined in red.
- Details of the existing uses, layout and size of development.
- Existing floor plans, elevations and sections.
- A brief summary of the proposed development, including details of scale, height and extent of proposed buildings, uses and associated works.
- Sketch drawings of proposed floor plans, elevations and sections (to scale).
- Information on proposed layout preferably at 1:200 scale including access arrangements, parking, density, landscaping and existing proposed trees as appropriate and relevant.
- Photographs showing the site, buildings and surrounding area.
- Sketch of proposed development (when available) showing the proposal in its setting with comparison of height in relation to surrounding built form.

- Design statement, urban design analysis, materials, photomontages, computer images, streetscene appraisals etc. (where appropriate).
- The appropriate fee.

For large scale major residential and non-residential development we will discuss the level of information required for the initial meeting with you prior to the meeting taking place.

You will get from us

We will aim to confirm receipt of your request within 3 working days and check whether you have provided sufficient details of the proposal (see above) and paid the correct fee. On the basis that sufficient information is provided we will seek to provide you with written advice within 20 working days of receipt (excluding largescale development). If for some reason it is not possible to respond within this timescale due to the complexity of the case or the need to seek comments from specialist officers/others we will contact you to agree a longer response time. Where possible we will try to ensure that the case officer dealing with your pre-application enquiry will also be the case officer for your application.

Our advice will contain:

- Details of the planning history of the site.
- Identification of planning constraints and the relevant national, regional and local planning policies that apply and other material planning considerations which are likely to be taken into account.
- An indication of any anticipated S106 obligation requirements.
- Observations from a site visit if appropriate.
- Identification of external organisations who may be consulted at the application stage; and consultations with stakeholders if considered necessary to address fundamental issues (Consultees may request contact is made direct to them if issues are identified and their advice may be subject to a fee).
- Informal and 'without prejudice' written comments and guidance on the content and presentation of the proposal.
- Advice on whether the proposal is likely to satisfy the Council's planning policies and guidance on procedures including EIA/referrals where applicable.
- Guidance on how best to undertake community consultation if appropriate.
- Advice on the documents and information to be submitted with an application to as far as possible ensure that it is valid on submission.

The Development Team Service

This service is available for large scale major residential and mixed-use pre-application enquiries as larger and more complex schemes will need more preparatory work, require a greater amount of officer input and involve a range of specialist officers across the council.

The fees are based on 3 key stages of work and assume a 6 month programme period. It includes a masterplanning element with option testing, pre-application consultation and assistance with the preparation of a planning application. The Development Service includes all meetings necessary to advance a large scale development proposal to the stage of submission. The approach recognises the complexity of large scale development projects. This approach will give more time

for negotiated solutions to be reached and an ability to develop a scheme with greater knowledge of the context and issues involved.

A Planning Lead Officer is allocated to give a key single contact and provide overall project management/ co-ordination. We recommend a Planning Performance Agreement for major regeneration projects. This enables the approach and timescales for the delivery of the pre-application process to be agreed and a work programme to be developed.

As part of the service we will provide the following activities tailored to the scale of proposal, resources anticipated and charges applicable (and based on an agreed programme period):

- An opportunity to enter into a Planning Performance Agreement (PPA) in accordance with the Council's PPA charter, where appropriate.
- Agreement of, wherever possible, an appropriate timetable for the submission of an application and timescale for determination, in accordance with the PPA if applicable.
- Site visits by the project team as required.
- Professional advice from a full range of specialist officers within the council. Identification of key stakeholders and statutory consultees (who can then be contacted for comment/feedback).
- Facilitation of any required liaison meetings with stakeholders (up to a maximum of 3 meetings), with attendance by specialist officers.
- Arrangement of project meetings (up to a maximum of 6 meetings) with attendance by key officers.
- Preparation of a key tasks and actions list which will be used to advance progress on key issues.
- Advice on the scope and programme for pre-application consultation.
- Written pre-application advice on consultation material, key planning application documents and emerging proposals.
- A response to any contact by telephone or email within 5 working days.
- Preliminary scoping and discussions regarding anticipated S106 obligation requirements (up to a maximum of 5 meetings) with provisional Heads of Terms, if agreement can be reached.
- Facilitation of up to 3 sub-group meetings on technical areas with relevant specialist officer inputs as required.
- The opportunity for you to make a pre-submission presentation to Planning Committee in order to introduce the proposals, provide councillors with an understanding of their involvement and content and the opportunity for a questions/answers session thereafter.

The outcome of this service will be written officer level advice on the documents required as part of the planning application, provisional Heads of Terms for any S106 agreement and advice on key issues relevant to the proposal. This officer level advice can be submitted with the proposals and used in support of a planning application (please see disclaimer below).

To Note

Exemptions

Advice sought in the following categories is free:

- For alterations, extensions, etc. to a dwelling house for the benefit of a registered disabled person.
- Proposal solely for the carrying out of the operations for the purpose of providing a means of access for disabled persons to or within a building or premises to which members of the public are admitted.
- Advice on how to submit an application.
- Advice covered in Section B relating to ongoing enforcement investigations, prior to the instigation of any formal proceedings.
- Where the enquiry is made by a Parish Council or Town Council.

Confidentiality

Enquiries, together with any response made by the Council, will be made available for public inspection unless enquirers confirm in writing to us that the information provided is commercially sensitive, or contains sensitive personal information. If the Local Planning Authority receives a request, under the Freedom of Information Act (FOI) or Environmental Information Regulations (EIR), to disclose information relating to pre-application enquiries they are obliged to do so unless the information is deemed exempt under the Act.

We can only withhold information under FOI or EIR if the information falls under one of the exemptions (FOI) or exceptions (EIR) set out in legislation. For certain pre-application issues the enquirer would be advised to complete the **Commercially Sensitive Material Checklist** that should set out the reasons why, and for how long, they feel any information relating to the case needs to remain confidential. However, whilst we will take account of these views, the final decision on whether the information should be withheld rests with the Council. The Council maintains compliance to the Data Protection Act and we will not release any personal information to third parties.

Disclaimer

Any pre-application advice given by council officers within this service, whether verbal or written is informal officer level advice provided without prejudice to any formal decision by the council. It is not a formal decision by the council as local planning authority and cannot bind in any way the council's final decision on any planning application.

Advice given by officers will be on the basis of information available at the time and in the context of their professional judgement, without prejudice to the formal consideration of a planning application. There may be issues raised at a later stage, through site visits or information provided by other third parties/stakeholders, statutory consultation and evaluation of all available information during the consideration of the planning application which may be material to any decision made. We are therefore not able to give guarantees about the formal consideration of a planning application at the pre-application stage.

Pre-application advice on individual sites can only be given in the context of the current development plan position and National Planning Policy Framework. Currently limited weight can be given to the draft policies within the Preferred Options Local Plan. Work is ongoing in producing the Submission Draft of the Local Plan with supporting evidence base documents. If you wish to enter into pre-application discussions prior to the adoption of the Local Plan you should be aware that the policy context may change as a result of the Local Plan process. Officers will be able to

advise on the emerging context, however, prior to the adoption of the Local Plan any pre-application discussions will be on the understanding that any work carried out is at your own risk. Pre-application fees will not be refunded in the event that the policy context changes and work is no longer relevant / required or the considerations relevant to the proposals fundamentally change.

How to Apply

Download a Pre-application Advice Form from the council's website:

<https://www.york.gov.uk/downloads/download/797/pre-application-planning-advice-form>

This form is designed to ensure that we have enough information to offer advice about your proposal. Once we have received your request, we will write to acknowledge receipt within 3 working days. Before we can process your request, the full payment must be made in accordance with the scale of fees.

If you have any questions about the pre-application advice service, please contact us:

Email: planning.enquiries@york.gov.uk

Telephone: 01904 551553

Post: Development Management, City of York Council, West Offices, Station Rise, York, YO1 6GA.

If you have any comments or suggestions to help improve the service, please let us know.