

**Pre-Application Advice – Notes and Charges  
Town and Country Planning Act 1990 (as amended)  
Planning and Compulsory Purchase Act 2004  
Local Government Act 2003**

Under the above legislation North Herts Council operates a scheme of charging for pre-application advice on certain types of development proposals and certain development briefs.

This leaflet provides guidance in respect of the charges and procedure. The Council welcomes and encourages discussion before the submission of an application. In order that the Council can provide this service to a consistent and high standard the Council has decided that the cost of providing this service should be recovered directly and not fall as a general cost to the council taxpayer. (Please note that the current statutory planning fees do not cover the cost of pre-application planning advice).

The Council considers such discussions are primarily of benefit to the applicant by identifying the planning issues and requirements and speeding up the development process; as a consequence, they can help to minimise their subsequent planning application cost and avoid abortive applications.

<b>Proposals to which the charging scheme applies</b>					
Six categories of development proposals are covered by the charging scheme:					
<b>Residential</b>					
<b>Significant Major</b>	<b>Category A 100-499 dwellings</b>	<b>Category B 25-99 dwellings</b>	<b>Category C 10-24 dwellings</b>	<b>Category D Up to 9 dwellings</b>	<b>Category E Householder and Listed Buildings</b>
PPA for Master Plan (Policy SP9) then following agreed Master Plan  <b>Or Individually quoted fee</b>	PPA for Master Plan (Policy SP9) then following agreed Master Plan Or - £7,773 including VAT  Then individually quoted fee if no PPA agreed	£5,854 including VAT	£3,115 including VAT	£528 including VAT	£179 including VAT
<b>Non-residential</b>					
<b>Category B</b>	<b>Category C</b>	<b>Category D</b>			
<ul style="list-style-type: none"> <li>• 2000m<sup>2</sup> or more commercial floor space</li> <li>• Solar Farms/Wind Farms on site area greater than 10 Hectares</li> </ul>	<ul style="list-style-type: none"> <li>• Provision of 1000m<sup>2</sup> – 1999m<sup>2</sup> of commercial floor space</li> <li>• Change of use of buildings on land exceeding 500m<sup>2</sup> (gross)</li> <li>• Solar Farms/Wind Farms on site area between 5 to 10 Hectares</li> </ul>	<ul style="list-style-type: none"> <li>• Advertisements</li> <li>• Provision of up to 999m<sup>2</sup> non residential floor space</li> <li>• Change of use of buildings on land up to 499m<sup>2</sup> (gross)</li> <li>• General engineering works /operational development</li> <li>• Solar Arrays/Farms and Wind Farms on site area less than 5 Hectares</li> </ul>			
£5,854 including VAT	£3,115 including VAT	£528 including VAT			

<p><b>Fees must be paid at the time of submission.</b></p> <p>Additional charges will be paid at the end of the meeting either by cheque, debit or credit card. If a meeting is cancelled, charges may be made for any pre-meeting enquiries or any other investigations that have been carried out.</p> <p>The hourly rate is also applicable to any further advice sought after an initial reply to the first submission for category 'Significant Major', 'A', 'B' and 'C' schemes.</p>	<p><b>Fees must be paid at the time of submission.</b></p>
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The fee includes any amount of time taken on a case by a Planning Officer, from the investigation stage to the final written comment, including meetings as deemed appropriate by the Planning Officer. We reserve the right to charge an additional fee, or charge an hourly rate, should there be significant changes to a scheme.

### **Exemptions**

The charging scheme will not apply to advice sought in connection with enforcement or advice to any local resident affected by a development. Such advice at this time will continue to be provided free of charge.

### **Confidentiality**

Please be aware that officers will brief the appropriate ward councillors on categories 'Significant Major', 'A', 'B' and 'C' schemes, in accordance with the members protocol for pre-application advice.

Pre-application advice is not placed on the public planning register. However if you want the information that you provide to be treated as confidential, please be aware that, under the Freedom of Information Act, (FOI) and Environmental Information Regulations (EIR), there is a statutory code of practice with which public authorities must comply and which deals, amongst other things, with obligations of confidence.

The Council as standard practise will release pre-application information, as appropriate, following a request under FOI or EIR, should you not wish your pre-application information released then you must explain to us, when you make your application, why you regard the information you have provided as confidential.

If we receive a request for disclosure of the information we will take full account of your explanation, but we cannot give an assurance that confidentiality can be maintained in all circumstances.

### **Scope for Discussion**

The matters suitable for discussion could include:-

- Information on the relevant policies and other planning requirements.
- Provision of advice regarding the procedure, consultation, and estimated time scale in regard to the process of the application.
- The required information for making a valid planning application.
- Indication of the likely requirement for contributions by the developers in accordance with the Council's adopted Supplementary Planning Document on Planning Obligations, including levels of affordable housing, highways and education payments.
- Informal and without prejudice comments and guidance on the content, construction and presentation of an application likely to satisfy the Council's planning policies.

### **Information Required for Category Significant Major, A, B, C and D Pre-Application discussion**

The Council will require sufficient information to be provided to enable a quality advice service to be provided. This includes:-

- A description of the proposed development and schedule of proposed uses.
- A site location plan (scale 1:1250).
- Photographs and drawings showing the site, buildings and trees as existing, together with the schedule of uses.
- Outline of proposal (to an appropriate scale).
- Drawings showing proposed plans/elevations (to an appropriate scale).
- Draft Design and Access Statement (DAS).
- Draft Heads of Terms for S106 obligation/unilateral undertaking for qualifying developments (see Planning Obligations Supplementary Planning Document).
- For larger sites other information may be required including potentially EIA related information or a draft environmental statement

### **Information Required for Category E (householder/listed building) Pre-Application discussion**

The Council will require sufficient information to be provided to enable a quality advice service to be provided. This includes:-

- A description of the proposed development and schedule of proposed uses.
- A site location plan (scale 1:1250).
- Photographs and drawings showing the site, buildings and trees as existing, together with the schedule of uses.
- Outline of proposal (to an appropriate scale).
- Drawings showing proposed plans/elevations (to an appropriate scale).
- Heritage justification statement explaining why the proposed works would not harm the building(s) special character – *for listed buildings only*.

### **Standard of Service**

If you have a proposal which is likely to be subject to a charge you should initially make your request in writing to [planningcontrol@north-herts.gov.uk](mailto:planningcontrol@north-herts.gov.uk) or download a form from the North Herts Council website <http://www.north-herts.gov.uk/home/planning>.

As well as the information mentioned above, you are required to confirm in writing that you would be willing to meet the necessary cost associated with the pre-application advice. The appropriate form will be sent to you upon receipt of any enquiry or can be downloaded using the following link to the website: <http://www.north-herts.gov.uk/home/planning>.

Within 7 working days of receiving a submission of pre-application proposals, the service will contact you either by phone or in writing to confirm:

- that your proposal requires a pre-application advice fee. The service has the right to decline a request for pre-application advice where it is not considered either appropriate or necessary;
- any additional information that is required before pre-application advice is offered; and
- the name of the Planning Case Officer(s) who will be handling your enquiry and contact details

#### **Significant Major, Category A, B and C applications**

Meetings with the case officer will only take place upon request following the case officer's written reply to your pre-application advice submission.

#### **Category D and E applications**

Meetings will only take place if deemed necessary by the case officer.

Please note that meetings\* are normally held at the Council Offices in Gernon Road, Letchworth Garden City. Any request for specialist advice should be confirmed at this time and subject to their availability, the necessary officers will attend.

\*Due to Covid-19 restrictions, meetings may be held virtually.

### **Hertfordshire County Council**

Hertfordshire County Council now charge separately for all pre-application advice inquiries that require their input. This includes Hertfordshire County Council (Highways) and the Lead Local Flood Authority (who are a statutory consultee for any scheme greater than 10 dwellings or 1000sqm+ of non residential floor space). The Council will consult these bodies on all qualifying development schemes but additional charges will be levied from Hertfordshire County Council before any advice is given to the applicant or the Council. Please also note the Environment Agency have a separate pre-application charging regime also.

### **Speed in progress: for formal planning application submissions**

We will seek to process all applications within the CLG prescribed period. However, it is highly likely that applications submitted following a pre-application discussion will typically progress faster where the proposals have fully taken on board the issues raised in the written response.

### **Please Note:-**

Any advice given by Council Officers for pre-application enquiries does not constitute a formal response or decision of the council with regards to future planning permission or other consents.

Any views or opinions expressed are given in good faith, and to the best of ability, without prejudice to the formal consideration of any planning application, which will be subject to public consultation and ultimately decided by the Council.

You should therefore be aware that officers cannot give guarantees about the final formal decision that will be made on your planning or related applications.

### **Duty Officer**

In addition to pre-application advice, the Council operates a Duty Officer service for more general planning advice. An immediate response cannot be given to chargeable requests received by the Duty Officer.

Please note that general information and advice can easily be obtained from the Council's website [www.north-herts.gov.uk](http://www.north-herts.gov.uk) and the Planning Portal [www.planningportal.gov.uk](http://www.planningportal.gov.uk).