

# Pre-Application Advice & Permitted Development Enquiries Protocol

## Introduction

South Staffordshire Council resolved in July 2011 to introduce a charging regime for the provision of pre-application advice and permitted development enquiries (Pre-Apps) on proposed planning applications. Pre-Apps advice and the discussions that take place are discretionary activities of local authorities. The ability to levy a charge for such discretionary services is contained in the Local Government Act 2003. After careful consideration of the practices of other Local Planning Authorities, and the budgetary and practical consequences, the Council has decided to adopt this approach.

**All pre-application advice, and the associated discussions, whether in meetings or correspondence format, will be chargeable -except where exemptions apply (see below). The scale of fees set out below will be reviewed annually by the Council's Regulatory Committee.**

By submitting a Pre-App, we can check you are on the right lines before you apply. This can help to save you time and money. In addition if you are unsure about whether or not the development you propose requires planning permission then a formal decision (Certificate of Lawfulness of Proposed Use or Development - CLOPUD) can assist by providing clarity and peace of mind.

Getting it right before you apply has benefits for you and us:

- Your planning application will be registered more quickly
- Clear and complete applications are easier to process through the planning system
- Good quality information at an early stage helps to address problems sooner, rather than later
- Getting the right advice can avoid the need to change the plans later which can be costly

You may find it helpful to seek professional advice to help prepare draft drawings to support your Pre-App. Check out your local business directory and search for Architects or Architectural Services.

## How to submit a Pre-App

If you are unsure about whether or not a development that you are proposing requires planning permission then you can obtain written confirmation by submitting a formal application. This is known as a Certificate of Lawfulness of Proposed Development (CLOPUD). Forms can be obtained by contacting the Planning Support Team or e-mail. The fee charged will be half the normal planning application fee (ie £75 for householders).

If you are seeking advice about whether you are on the right lines before submitting an application then you need to make a formal written request which you can either e-mail to [dcapps@sstaffs.gov.uk](mailto:dcapps@sstaffs.gov.uk) or send to:

Development Management Services  
Planning Support Team  
Council Offices,  
Codsall,  
South Staffordshire,  
WV8 1PX

You will be required to provide:

- Completed Pre-App request form
- Pay required fee
- A location plan of the site (preferably to scale)
- A brief description of the development
- Photographs of the existing site showing key relationships to neighbouring uses, or development, description of vegetation or other existing site features

It will also help if you can provide:

- Plans of the existing site/land use; and
- Plans of proposed land-use/development

When submitting plans please make sure they are drawn to scale. Please also make sure the scale is included on the plans, so we can use them to take measurements.

### Our Approach

We aim to provide a well informed response, in writing, that provides you with a clear indication of our advice. We will make it clear what we have taken into consideration in the advice and where there are outstanding issues that need to be resolved – for example around external consultees.

We shall contact you within 5 working days of receipt of your Pre-App enquiry to acknowledge its registration and provide an initial indication of the need for meetings, site visits and consultations (internal and external).

We aim to provide a formal written response to you within 28 days of receiving your submission. More complex enquiries – for example where we are dependent on responses from external consultees – may take longer.

We shall allocate your re-app to an officer with the appropriate level of experience and expertise to deal with your enquiry. That officer will be expected to check with senior officers/line manager where there is doubt. Only in exceptional circumstances – where there is evidence that the

advice has failed to consider a material planning consideration – will we depart from the formal written advice that you are given.

### Our Charges

- Permitted Development (Pd) enquiries = half planning application fee (ie £75 for householders). For non-householder Pd enquiries please contact Planning Support Team to clarify fee
- Major Applications = £200
- Minor Applications = £100
- Other Applications = £50

NB. The Major/Minor/Other categories are as defined by Department for Communities & Local Government (DCLG). Please contact Planning Support Team if you need assistance with identifying the appropriate category for your Pre-App.

The fee also applies to the Development Team Meetings.

### Exemptions

No charge shall be made for pre-application advice from the following people/bodies intending to carry out development proposals:

- Registered Disabled persons
- Community Groups
- Parish Councils
- Residents and businesses who have not employed a professional agent/architect to pursue their enquiry. Note, however, that this exemption will not apply to permitted development (pd) enquiries which will require a formal CLOPUD to be submitted.

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