



Guidance Notes for Charging for: Pre-application Advice, Invalid Applications, and Application Checking.

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Introduction to Basis and Purpose of Fees

Dacorum's Planning and Regeneration service currently operate a charging system for pre-application advice under the Local Government Act 2003. Brief details of charges have been posted on our web site for information and guidance. This guidance note is produced following our review of charges in October 2008, and updates our fees to cover the cost of this service to all users. This note also sets out the new-tiered system of charges, and what we will provide for this service.

The charges cover: Pre-application advice, Invalid Applications, and Application Checking.

Pre-Application Advice

The Council welcomes and encourages pre-application discussions, particularly where major and complex development schemes are proposed. Specialist advice is also available from our Conservation and Urban Design Team, for proposals affecting Listed Buildings, and those within Conservation Areas.

The purpose of pre-application discussions is to help you and the Council to identify potential pit-falls on your proposal at an early stage. It should help us both to work together to identify planning issues at an early stage of the development process and agree on the way forward for the formal submission, and determination of your planning application.

This should improve the standard of service available to all potential applicants, and ensure that the cost burden of providing the service does not fall generally on the Council's taxpayers. It should also lead to reduced costs for the applicant by avoiding the submission of unacceptable applications, clarifying potential conditions and allowing legal matters to be identified early on.

The Council may not always have sufficient time to carry out these discussions where applications have already been submitted without the benefit of pre-application discussions. This is because the Council has a duty to determine applications within a period of 8 weeks for 'minor' applications, and 13 weeks for 'major' applications. The Council is determined, in line with stated policies in the

Dacorum Borough Local Plan, to achieve a high standard and quality of development. To help achieve this, pre-application discussions are important to help you get your priorities right. If they are not, applications may be refused.

The Council considers that the pre-application service should create mutual trust and collaboration between the parties early on in the planning process, particularly suitable for large complex applications, where increasing certainty and the determination period can reduce the risks and costs of uncertainties.

The charges apply to before the submission of an application and includes advice given following refusal of an application.

The Categories and Charges

The categories and thresholds of proposed developments subject to the charges are set out below: -

Category A: Significant Major Developments - Where the number of residential units to be constructed is 100 or more, or where the number of residential units to be to be constructed is not given in the application a site area of 2 hectares or more should be used as the definition of a major development. For all other uses a significant major development is one where the floor space to be built is 10,000 square metres or more, or where the site area is 2 hectares or more.

Category B: Large Major Developments - proposals of 25 to 99 residential units or more, and other uses at 2000 sq.m to 9,999 and any proposals on land between 1 ha and 1.99 ha.

Category C: Major Developments - proposals of 10 to 24 residential units or other uses at 1000 sq.m to 1999 sq.m and any proposals on land between 0.5 ha to 0.99 ha.

Category D: Minor Developments - proposals not coming within Category A, B, C, or E and advice on Listed Building and buildings within Conservation Areas.

Category E: Minor Housing/ Commercial Developments – proposals of 1 house, erection of stables and any change of use.

Category F: Householder applications – developments within the plot of a domestic dwelling including extensions, alterations, and other buildings to be used in connection with the dwelling such as garages, games rooms and summer houses.

Table 1: Fee Charges.

Category		Initial Charge	Further charges for meetings
Category A	Significant Major Developments	PPA - £2000	Officer time deducted from initial fee
		Non- PPA- £2000	£500
Category B	Large Major Developments	£1000	£250

Category C	Major Developments	£750	£150
Category D	Minor Developments	£250	£75
Category E	Minor Housing/ Commercial Developments	£50	£50
Category F*	Householder applications	£20	£50

Note that the charges reflect the numbers, seniority and level of experience of officers involved.

*Not for householders using the Duty Planner service at the Council offices. These meetings will be limited to 30 minutes. Meetings outside the duty planner service will be charged at the rates shown.

Additional charges by third parties for advice will be additional to the charges above.

The above charges do not apply to registered charities. Further exemptions can be granted at the discretion of the Senior Manager, Development Management.

What you need to do to receive the service.

- Down load the pre-application request form from our web site, or contact the Planning and Regeneration Service for a copy of the form. Supply the information requested on the form, and submit all information with the initial fee cheque, in accordance with Table 1, and made payable to *Dacorum Borough Council*.
- We recommend that photographs of the site and/or buildings are submitted.
- We also recommend for Category A and B proposals, that a preliminary or draft Design Appraisal is submitted. A CD ROM of all documents submitted should also be supplied, to enable faster internal consultations by email and help us provide you with a more rapid response.

Please note: All information submitted by you for the pre-application advice remain confidential during the pre-application stage, and later release is subject to the provisions of the Freedom of Information Act.

What we will do for the service

- We will acknowledge receipt of the pre-application submission by letter or email within 2 working days.
- We will review the information submitted and request further information, if required, within 5 working days.
- We will advise you of our response within 21 working days from the date of receipt. This will be the officer's considered response of the proposal in a

letter, identifying both the planning policy context, constraints, opportunities and the relevant process/procedures for the application, with any other relevant material planning considerations. This will constitute the initial advice of officers.

- If a meeting is requested for any of the Categories this will be arranged for a mutually convenient time within 10-15 working days from the date of request. Meeting charges will apply as set out in Table 1, and payment should be made on conclusion of the meeting by cheque. A receipt will be issued.

Status of Advice

Any advice that is given by Council officers, whether paid for under this service or not, is given in good faith and to the best of our ability. **Any views or opinions expressed by officers are done so without prejudice to the formal consideration of the planning application.**

Any subsequent application for planning permission or consent relating to the pre-application proposals will be subject to full statutory consultation and decided by the Council's Development Control Committee, or by the Head of Planning and Regeneration under delegated authority.

You should therefore be aware that officers' advice would not guarantee planning permission or consent relating to the formal consideration of your planning or related application by the Committee or the Head of Planning and Regeneration.

We seek to process all applications within the Government target periods set out above, unless an extended period is agreed within a PPA. We should expect that applications subject to the pre-application advice will typically meet the target date.

For **Category A** applications, we recommend that a **Planning Performance Agreement (PPA)** is entered into at the start of the pre-application process, to agree the development management programme, relevant stakeholders involvement and the determination period for the application.

Further guidance on the Council's approach is set out in our Planning Performance Agreement Charter.

Following inception of the PPA (See PPA Charter) a project plan will be produced covering the work needed at the following stages: pre-application; determination of application; and post-decision including the management and monitoring of development implementation, discharge of conditions and S106/ S278 pre-requisites. Where appropriate on completion of the proper plan, an estimate of total PPA costs will be issued to you, forming the basis for the payment.

The fee charged for a PPA is based on the percentage of time that a Senior Planner is estimated will spend on the project annually. The fee will be charged on a pro-rata basis. This will be payable in quarterly instalments, the first payment being due in advance following the signing of the PPA. This is because a significant amount of work is done up front on a PPA before signing of the agreement. Therefore, the £2000 will be payable on acceptance of the proposal as a PPA to cover this early work, up to the point of producing the project plan. The 1st quarterly payment will take account the £2000 paid in advance.

Application Checking Service

On 6 April 2008 the new national standard application form and national validation requirements became mandatory. In addition the Council has adopted local validation requirements. These have been through the formal consultation process as recommended by the Government.

Validation checklists have been drawn up for each type of application. Validation requirements for each type of application are in two parts. Part 1 relates to the national requirements and Part 2 relates to the local requirements. The full checklists can be found at the following link :

<http://www.dacorum.gov.uk/default.aspx?page=5145>

To assist in making applications, the Council offers a service where applications can be assessed prior to submission in terms of whether they have sufficient information. The charge is £50 for categories A-E and £25 for category F.

Invalid Application Charge

Failure to meet the requirements of the Council's Validation checklist will result in your application being made invalid. This can be avoided by using the Council's application checking service.

If your application is made "invalid" – which is where we do not have sufficient information necessary to process your application, we will contact you to set out what information is required. This information should be provided within 14 days. If the required information is not provided or contact is made with the Council within this 14 day period, a letter will be sent that requires the information requested within 14 days or the application is collected. Beyond the 28 day period, the Council will dispose of the application. In disposing of the application, a charge of £50 will be deducted from the planning fee submitted, before returning the balance of the fee to you.