

Development Management

Pre & Post Application Advice Guidance Note & Fees + Research Requests

April 2023



1. WHY SEEK PRE/POST APPLICATION ADVICE?

- 1) Planning applications can raise complex issues and we can help homeowners, local businesses and developers through the process to deliver high-quality schemes. As such, we strongly encourage you to get pre-application advice from us before you apply for planning permission.
- 2) For homeowners, this helps identify any areas that we think may need to be changed to make the proposal acceptable. For larger applications, it's important that you know early on if an idea is worth pursuing at an early stage, saving you time and money.
- 3) A planning officer will provide comments on your submission and highlight any potential concerns and will let you know which supporting materials are required.
- 4) While the outcome of your application cannot be guaranteed, it is more likely to succeed if you speak to us before submission, taking on board our recommendations.
- 5) Irrespective of the level of information you provide, we will charge for providing advice on built developments or changes of use, including any that may be retrospective. Please note that the fees below are in place to ensure the cost recovery of the service and are made on a not-for-profit basis.
- 6) Our opinion might have to change during the formal application process once the views of neighbours, Local Councils and District Councilors have been obtained. The final decision may also be made by the relevant Council Committee, rather than by officers, and it is always possible that the Committee Members may reach a different view.
- 7) If your application is refused, we offer a valuable post application advice service where revised proposals can be assessed.
- 8) Whether or not you decide to take pre or post application advice does not affect your right to submit a planning application nor to appeal should planning permission be refused.

2. HOW THE SCHEMES WORK

- 9) In all cases, we will expect applicants to provide as much information as possible about the site upon submission. You will need to be clear about your development proposal in order to help us decide who else should be consulted.
- 10) As a minimum, we will require:
- a description and summary of the proposals;
 - a site location plan and stated site area; and
 - Wherever possible we would recommend the applicant provides the following:
 - photographs of the site and drawings of the proposals; and
 - any supporting documents, surveys, statements etc.
- 11) Please note, for post application advice, as a minimum, we require a set of revised plans before we will engage this service with you. If no revised plans are provided, then we will close the application and any fee paid will be returned.
- 12) The issues, depending on the information you provide, are likely to include:
- The constraints on the site. For example, is the building listed; is the development site in a conservation area; is there a flood risk; are there any national or local designations etc.
 - The key planning consideration and merits of the scheme.
 - Possible obligations on you as the developer, e.g., the provision of infrastructure, affordable housing etc.; and
 - Validation requirements.
- 13) We will aim to respond to you within 4-6 weeks of submission, however the timescale will vary depending on the complexity of the proposal. Once we have given you a written response, no further advice will be given unless otherwise stated by the officer. Any further advice will be charged at the hourly rate.
- 14) A meeting with the case officer can be requested, and in some instances may be deemed necessary, but it is the decision of the case officer as to whether a meeting will be held. Other specialist officers may also be in attendance at any necessary meeting, and their time would be charged accordingly. Please note that having a meeting with the case officer may mean that the final response is not provided within 4-6 weeks of submission.

3. PLANNING PERFORMANCE AGREEMENT (PPA)

- 15) Some of our customers may find that the breadth of issues that arise as a result of their proposal cannot be covered in the pre-application advice meeting(s). For developers who would like to iteratively develop their proposals and evolve their designs based on feedback, we would recommend entering into a Planning Performance Agreement (PPA) with the Council.
- 16) A PPA is a project management tool that the Local Planning Authority (LPA) and applicant can use to agree timescales, actions, and resources for handling particular applications.
- 17) Through a PPA we can offer a bespoke service that provides specialist support and expertise relevant to your proposal. The cost of the service is calculated on the basis of hourly rates of the officers and experts who provide the advice.
- 18) The benefits of using this service are:
- Certainty of timescales for reaching a decision and a specific committee date to work towards;
 - A project managed application process that includes a range of professionals involved in the determination of your application;
 - The opportunity to discuss changes to proposals as they arise;
 - The cost of pre-application advice, and resident engagement is included;
 - Access to officers and consultees to enable constructive discussion on planning applications; and
 - Named officer contact.

19) The table below sets out the development types where a PPA is the preferred approach.

| Development | Deliverables |
|---|--|
| Schemes of 20 - 49 dwellings, 4,999 square metres of commercial development or change of use, or works to a site up to 2 hectares in area | <ul style="list-style-type: none"> • Written advice on the basis of submitted documents; • If we consider a meeting is required, it will be charged at an additional fee, and advice will be given on whether the scheme needs to be considered by the Development Management (DM) Forum and/or Quality Review Panel (QRP). • Whilst consultation will be undertaken with key consultees it is unlikely that any other officers would attend the meeting except at the discretion of the allocated Planning Officer; and • If further meetings are deemed to be necessary by the Planning Officer, then these would be charged at an additional fee. |
| Schemes of more than 50 dwellings or 5,000 square metres of commercial development or change of use | <ul style="list-style-type: none"> • A PPA will generally be the preferred mechanism for providing advice; • A Lead Officer will be assigned the case and other officer involvement will be agreed subject to the negotiations/details of the PPA; • The number and timescale of meetings will be discussed and agreed between the Lead Officer and the applicant. This will enable a more tailored and bespoke service to be provided for larger schemes and ensure that full cost recovery is achieved; and • Schemes to be considered at a DM Forum and Quality Review Panel prior to submission of an application (note additional charges for these elements are set out below) |

20) For PPAs, a project management framework and timetable for progressing and delivering development on a site will be produced. The Agreement is intended to improve the quality and efficiency of the planning process and records all Parties commitments to an agreed timetable, which would include key milestones that clearly identify the level of resources and actions that are required and ensure that all key planning issues are properly considered and resolved at the earliest possible stage. The PPA approach is therefore strongly recommended for complex major planning applications.

21) Where a PPA is not utilised, the Council will still negotiate and agree with the applicant a suitable pre-application approach (including fees) that allows for multiple meetings, additional officer time, and further work. This will be agreed in writing with the allocated Lead Officer prior to any significant assessment taking place on a submission and would be based on the hourly rate.

4. DEVELOPMENT MANAGEMENT FORUM (DM FORUM)

- 22) The Council holds Development Management Forums to facilitate the discussion of large-scale or contentious development proposals. Generally, the Council will expect schemes of more than 50 homes or 5,000 square metres of commercial/other floorspace to be the subject of such discussions. Its purpose is to allow participants to raise issues of concern and obtain answers to questions about the particular proposal. Wherever possible this will be prior to the review of a development proposal by the Quality Review Panel and the submission of a formal application.
- 23) Forum meetings will occur mostly at the pre-application stage to allow early discussion by Councilors and members of the public on planning issues related to these proposals and to explore the scope for amendments and agreement between all parties in a positive and constructive way prior to the later decision being made at the District Development Management Committee. They do not remove the opportunity for objectors, supporters and applicants to submit representations once an application is submitted or address the Committee when an application is to be determined.
- 24) Applicants will be expected to arrange for leaflets to be distributed to the local community (as agreed with the Council) and cover costs for officer preparation, attendance and write up of the meeting together with any associated costs such as hire of a suitable venue. This will be agreed in writing with the allocated Lead Officer prior to any significant assessment taking place on a submission and would be based on the hourly rate.

5. QUALITY REVIEW PANEL (QRP)

- 25) In general, the Council will expect the design of schemes of more than 50 homes or 5,000 square metres of commercial/other floorspace or contentious developments to be informed by an independent review by the QRP. This will also include the production of Strategic Masterplans, Concept Frameworks, Design Codes. Other smaller schemes which are complex or contentious may also be appropriate for review.
- 26) The Quality Review Panel has been established to support the Council in achieving high quality, innovative and sustainable placemaking. The panel provides independent and objective advice during the policy development, planning application and delivery programme.
- 27) The panel supports the Council by advising on masterplans, pre-application development proposals, and planning applications. It is encouraged that schemes are referred to the panel at an early stage in the design process to identify and test the proposed design's key assumptions and since advice is likely to be most effective before a scheme becomes too fixed.
- 28) Early engagement with the panel should reduce the risk of delay at application stage by supporting the development of schemes of a high quality. The Council may however also request a review once an application is submitted.
- 29) The Quality Review Panel terms of reference & charges can be found here:
<https://www.eppingforestdc.gov.uk/planning-and-building/planning-policy/quality-review-panel/>
- 30) The Quality Review Panel is an independent and impartial service provided to the District Council by Frame Projects, an external consultancy. As such the fees for the QRP are not included within the pre-application charges and are not paid to the Council. This Panel is an external service and fees are paid by the applicant to Frame Projects for delivering this service, although there would be a charge for Council officer input to the QRP (based on the hourly rate), which would be agreed in writing with the Lead officer prior to arranging any QRP reviews.

6. FEES

31) Please note that the fees below are in place to ensure the cost recovery of the service and are made on a not-for-profit basis.

| Development (Pre-Application) | Deliverables | Cost (Including VAT) |
|---|--|---|
| Minor development schemes of 1 - 2 new or replacement residential units or Creation of commercial development or Changes of use up to 100 square metres | Written advice | £540 |
| Minor development schemes of 3 - 9 new residential units or Creation of commercial development or changes of use between 100 - 999 square metres or Changes of use of land or earth movement on land under 1 hectares | Written advice | £1,620 |
| Major development schemes of 10 - 19 new residential units or Creation of commercial development or changes of use between 1,000-2,499 square metres or Changes of use of land or earth movement on land more than 1 hectare but under 2 hectares | Written advice | £3,240 |
| Major development schemes of 20 - 49 new residential units or Creation of commercial development or changes of use between 2,500-4,999 square metres or Changes of use of land or earth movement on land 2 hectares or more | Written advice Where applicable – consideration by DM Forum and QRP | £6,480 QRP and DM Forum charges as set out above |
| Major development schemes of 50 and over new residential units or Creation of commercial development or changes of use of 5,000 square metres floorspace and over | Written advice and nature and form of meetings by negotiation | By Negotiation |
| All other cases, including householder additions, adverts, other commercial development alterations and works to a statutory Listed Building | Written advice | £180 |

Please Note: Hourly Rate is £180 (Inc VAT)

| Development (Post Application) | Deliverables | Cost (Including VAT) |
|--|--|-----------------------------|
| Discussions for a way forward following a refusal for householder applications, minor applications and other cases | Written advice | £180 |
| Discussions for a way forward following a refusal for major applications | Nature and form of meetings by negotiation | By Negotiation |

| Research Requests | Deliverables | Cost (Including VAT) |
|--|---|--|
| Research requests (for example planning history, enforcement history, conservation assessments, compliance checks etc). | Copies of documents, written advice, meetings | £180 per hour (Two-hour minimum charge) No charge to inspect Planning Statutory Register |
| Expedited requests for information to be delivered within 48 non-weekend hours of fee payment (compliance with enforcement notices etc, urgent planning history research, urgent advice, compliance checks). | Copies of documents, written advice, meetings | £180 per hour (Four-hour minimum charge) No charge to inspect Planning Statutory Register |

32) Please note, that any request for a meeting (including site visits) is at the officers discretion and the need for this will need to be agreed beforehand with the case officer. If the meetings are deemed to be necessary by the Planning Officer, then these would be charged at the hourly rate (with an additional chargeable 2 hours of preparation time (total preparation time for all officers attending)).

33) Any follow-up meetings to present revisions will be charged at the hourly rate per set of drawings.

7. OTHER PLANNING ADVICE

34) Please note our pre & post application advice will not cover all planning related issues.

35) Essex County Council (ECC) charge separately to EFDC in respect of advice about;

- Highways access/traffic issues;
- Sustainable drainage (SuDS);
- Minerals, waste and county council development;
- Education and community infrastructure;
- Ecology; and
- Archaeology.

Further information can be found at: <https://www.essex.gov.uk/planning-advice-guidance>

36) The Environment Agency provides separate advice on flooding related issues, which can be found at: <https://www.gov.uk/guidance/flood-risk-assessment-local-planning-authorities>

37) We now provide much more information and documents online at: <https://www.eppingforestdc.gov.uk/planning-and-building/>. Examples include:

- Our Local Plan (including associated evidence base);
- Advice when planning permission is needed;
- Information about the planning history of sites;
- The Council's local validation requirements;
- Conservation and Heritage Advice; and
- Further information is available at: https://www.planningportal.co.uk/info/200125/do_you_need_permission

38) Please review our [Development Management Service Guide](#) for more information on what to expect from our Planning Service.