

MALVERN HILLS

Charging for pre-application advice



Guidance notes

Charging for pre-application advice

Background

This guide deals with how we handle pre-application planning advice.

Malvern Hills Council is able to provide you with advice and information on planning prior to the submission of a planning application. So we can provide the best possible advice and information within an appropriate timescale it is important that you provide us with as much clear information as possible regarding your proposed 'development'.

The service is intended to provide an indication of whether your proposal is likely to gain planning permission or not, what the key issues are for consideration and what you would need to submit with any application that you make.

Charges will apply for all pre-application advice given in accordance with the scale of fees and categories as outlined in the table of fees section. Charges are in addition to the actually set planning application fees.

Permitted development enquires:

Many small scale extensions do not need planning permission and fall within "permitted development" rules. You can find out more about what can be built without planning permission on our website. If you wish to have a formal letter from the council to confirm such, please complete an [assessment form](#) and submit with a fee of £47.10 for householder. £55.10 for non householder.

Benefits of the service

We encourage and welcome the opportunity to provide advice before an application is made. There are considerable benefits in seeking advice before making an application:

- It gives you an opportunity to understand how planning policies will be applied to your development.
- It can identify at an early stage where there is a need for specialist/technical input, for example on listed buildings, trees, highways, landscape, noise, transport, contaminated land, ecology and archaeology.
- It will assist you in preparing proposals for formal submission which, providing you have taken our advice fully into account, is likely to be handled more efficiently.
- It may lead to a reduction in time spent by your professional advisors in working up proposals.
- It may indicate at an early stage that a proposal is unacceptable, saving you the cost of pursuing a formal application.
- It can ensure an application is complete and comprehensive and to a satisfactory standard, avoiding rejection at registration stage or early refusal of permission because of inadequate or insufficient information.

Pre-application advice service

If you wish to take advantage of our pre-application advice service it couldn't be easier. Simply fill out the pre-application advice request sheet and email it together with your supporting plans, photos etc. to the address provided in contact details section.

What you need to provide is outlined on the [pre-application form](#).

What service we will provide:

- A response in writing within 15 working days for smaller schemes¹.
- A response in writing within 20 working days for larger schemes.
- A meeting/s with your representatives and relevant consultees will be convened - up to a maximum of 3 meetings of no more than 2 ½ hours each (additional meetings may be arranged but would incur an additional charge).
- Identification of the relevant site planning history.
- Identification of the relevant constraints affecting the site.
- Consideration of the context of the site and the potential issues/impacts across the site boundaries.
- Consultation with specialist colleagues and invitation for them to attend any meetings where appropriate.
- Where a planning obligation (Section 106 Agreement) is likely to be required, we would seek to agree the likely content of such an agreement prior to the submission of an application.
- Confirmation of what information/studies/reports etc. are likely to be required/submitted with your application.
- Guidance how best to undertake consultation prior to the submission of the application with local residents and other groups.
- An informal indication of the likely outcome of your proposed development, with an indication, where possible, of how it could be amended to improve the chances of a successful outcome.

If you are unsure of the correct fee or category your proposal falls within, please contact the planning department for further advice.

Any informal advice given is not binding on the Council and is given in the spirit of helpfulness and is based upon the information provided to the Planning Officer.

What happens next:

- If a point in the discussions is reached where your proposal is considered likely to be acceptable, you will be advised of this so that you can submit an application if you wish.
- Where necessary, discussions could continue during the lifetime of a formal application, but we generally seek to avoid the need for this through engaging in thorough pre-application discussions.
- If a point in the discussions is reached where your proposal is not considered to be acceptable, you will be advised of this and discussions will be concluded.
- If you are unsure of the correct fee or category your proposal falls within, please contact Planning Services (see Section 10) for further advice.
- Any informal advice given is not binding on the District Council as the Local Planning Authority and is given in the spirit of helpfulness but does not prejudice the District Council's future consideration of a formal planning application.

Planning Performance Agreements (PPAs)

For large scale and more complex planning proposals a Planning Performance Agreement may be beneficial. The agreement sets out a project plan to manage the proposal. Applicants should contact a planning officer to discuss this at the earliest possible stage.

For further information on PPAs, please see Malvern Hills District Council's PPA Charter and PPA template document on our web-site: www.malvern hills.gov.uk/performance-agreement-ppa

¹ In this context, a smaller scheme consists of less than 10 dwellings, a proposed floor area of less than 1000m² or a site area of less than 1ha.

A larger scheme is one which falls above these thresholds.

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Table of fees

| Proposed Development Type | | | Fee (inc VAT) | Fee for additional meetings (each) (inc VAT) |
|-----------------------------|--------------------------|--------------------------------|------------------|--|
| Residential Development* | Development Site Area | Proposed Gross Floor Area** | | |
| 1 - 4 dwellings | Less than 0.5ha | 500 m ² or less | £324.60 | £131.00 |
| 5 - 9 dwellings | 0.6 - 0.99ha | 501 - 999m ² | £649.75 | £131.00 |
| 10 - 49 dwellings | 1.0 - 1.25ha | 1000 - 2499m ² | £1285.20 | £647.70 |
| 199 dwellings | 1.26 - 2.0ha | 2,500 - 9,999m ² | £2578.25 | £975.10 |
| 200+ dwellings | More than 2ha | 10,000m ² + | £3867.85 | £1295.00 |

| | Fee (inc VAT) | Fee for additional meetings (each) (inc VAT) |
|--------------------------|------------------|---|
| Advertisements | £68.15 | £36.70 |
| Change of Use | £193.80 | £99.65 |
| Telecommunications | £193.80 | £99.65 |
| Glasshouses/Poly Tunnels | £286.80 | £139.00 |
| Householder Development | £47.10 | N/A |
| Other*** | £131.00 | £68.15 |

* includes one-for-one replacements and conversions/subdivisions.

** measured externally.

*** includes all other development proposals not falling within any of the above categories such as variation or removal of conditions, car parks and roads and certificates for lawfulness.

Where a development proposal falls within one or more category, the higher fee will apply.

Payment should be made at the time of the pre-application advice request.

Exemptions

Advice sought in the following categories is free:

- Where the enquiry is made by a local authority or county council.
- Where the enquiry is made by a parish or town council.
- Where the enquiry is made by a housing association, registered social landlord, or an equivalent affordable housing provider or an architect/agent acting directly on their behalf.
- Where the development is for the direct benefit of a disabled person, i.e. an extension, ramp, annex (excludes a new dwelling house), (and as such there would be no fee incurred to make the planning application).
- Works to listed buildings and Conservation Area consents which do not require planning permission.
- Works to trees covered by a Tree Preservation Order or trees located within a conservation area.
- Advice on how to submit a planning application or a fee enquiry.
- Planning discussions in relation to enforcement investigations.

Freedom of information

Under the Freedom of Information Act 2000, we may receive a request to provide information regarding enquiries for pre-application advice. Sections 41 and 43 of the act exempts information whose disclosure could result in substantial financial loss, or where it is likely to prejudice the commercial interests of a person. You are therefore asked, if you believe the enquiry to be confidential, to supply a covering letter setting out the reasons why and for what period. The decision as to whether to release the information however lies with the Local Planning Authority.

Contact details

Please email your completed pre-application request sheet to planningregistration@malvernhills.gov.uk

Address:

Planning Services (Development Control)
The Council House
Avenue Road
Malvern
WR14 3AF

Tel: Worcestershire Hub: 01684 862221
9am - 5pm, Mon-Fri.

Website: www.malvernhills.gov.uk



Charging for pre-application advice

General information

- No chargeable advice will be provided, or your request considered, without receipt of the relevant fee.
 - Meetings are not a compulsory element of the pre-application advice process and will only be conducted where agreed by both parties. Unfortunately no refund or reduction in the fee will be available should a meeting not be taken up.
 - There will be a presumption for meetings to take place at the Malvern Hills District Council unless justification or necessity requires a site meeting.
 - The attendance of consultees at meetings cannot be guaranteed, however wherever possible and necessary, invitations will be issued.
 - Please note the additional fee requirements in relation to highway advice, other consultees may also make charges in the future.
 - Where a meeting is held in the first instance prior to initial written advice, a timescale for the follow up written response will be agreed at the meeting. Wherever possible, the first meeting will be held within the response times noted above. Subsequent meetings will be dependent on the progress with the proposals and subject to availability of the Planning Officer and relevant consultees.
 - **All advice is provided without prejudice to the outcome of any future planning application, or change to the statutory or policy planning framework, however where changes are perceived to be imminent, we will advise you accordingly.**
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- Where significant new information comes to light during the course of a planning application that was not considered at pre-application stage, the Planning Officer will alert the applicant to this and seek additional information if appropriate.
 - Development carried out on site without the benefit of planning permission (where it is required) is at risk of enforcement action and applicants and their representatives should be fully aware of this and be mindful of it when considering their position and future options.
 - Only under very exceptional circumstances will a refund or part refund be provided.
 - Free and independent professional advice on the planning process, and assistance with planning matters, may be available to you, depending on your circumstances. For further information, contact the local branch of Planning Aid through www.rtpi.org.uk/planning-aid/

Malvern Hills District Council, Planning Services (Development Control)

The Council House, Avenue Road, Malvern WR14 3AF

Tel: Worcestershire Hub:- 01684 862221 - 9am - 5pm, Mon-Fri.

Website: www.malvernhillsgov.uk

Other charges

In addition to the charges set out, Worcestershire County Council Highways also charge for pre-application advice. Please contact Karen Hanchett on 01905 846817 or email khanchett@worcestershire.gov.uk.

- Payment to Worcester must be sent to:
• **Worcestershire County Council Economy and Infrastructure Directorate**

| Proposed development type | | | | |
|---------------------------|-------------|---------------------------|------------------------|------------------------------------|
| Residential development | Site area** | Gross floor area proposed | Cost of Highway advice | Cost of additional meetings (each) |
| Householder | | | No charge | No charge |
| 1 - 9 dwellings | <1ha | <1000m ² | No charge | No charge |
| 10 - 49 dwellings | 1-1.25ha | 1000-2499m ² | £450.00 | £250.00 |
| 50 - 199 dwellings | 1.26-2ha | 2,500-9,999m ² | £850.00 | £325.00 |
| 200+ dwellings | 2+ha | <10,000m ² | £1,255 | £450.00 |

Worcestershire County Council Highways Advice

For smaller schemes the county council provides highways advice as an integral part of the pre-application service. However, the county council charges for advice separately from the district council. For major development schemes, customers can therefore choose as part of the pre-application process:-

- To receive advice on highway matters along side their planning advice,
- To engage with the county council on highways matters and highway matters only.
- Not to receive advice on highways matters.

If you wish to receive advice on highways matters along side your planning advice it would be helpful if you also submitted the following information;

- Any relevant planning history covering the site
- Proposed access arrangements for all transport modes
- Location of key destinations - health, education, leisure, employment, food retail and non food retail.

If the proposal is within an area covered by one of the county council's transport models, then additional information may be sought and this will be advised at the time of the initial enquiry.

Making payment for Highways Advice

In all instances, payments associated with highways advice should be sent directly to Worcestershire County Council (see address at the end of this leaflet) with a copy of the information also submitted to the district council.

What service will be provided by the County Council?

For smaller schemes the county council will attend meetings and respond to proposals by feeding their comments into the advice given by the district council. With the major schemes, if their advice is sought, they will confirm:-

- The relevant method of assessment required -
- Transport Assessment (TA) or Transport Statement (TS)
- The timetabling and scope of the TA or TS