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Castle Point Borough Council

Pre-Application Advice Guidance

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The Council wants to ensure that the highest quality of development is delivered in the Borough. We want to approve your planning application, but only where it accords with policies and guidance and delivers quality.

If you are unsure if your scheme is likely to be considered favourably because, for example, it is not in accordance with policies and guidelines then you can ask for an officers opinion through our Pre-application Advice Service.

Aims of the Pre-application Advice Service:

- **To bring forward and encourage the creation of high-quality forms of development;**
- **To provide a collaborative and proactive, solution focused approach to problem solving;**
- **To provide a quick and efficient service to promote high-quality development proposals; and**
- **To provide clear and reliable advice, so that your application is ready for submission with the right documents to the right standard**

1. Why make a pre application enquiry?

Our pre-application service allows you to work with officers before you submit an application¹, helping to:

- Avoid unnecessary delays caused by invalid applications and subsequent amendments;
- Avoid costly resubmissions;
- Save the cost of pursuing unacceptable applications;
- Reduce the time (and fees) of your professional advisors;
- Understand the relevant policies that apply to your development;
- Work collaboratively with the Planning Department to overcome resolvable problems; and
- Provide clarity of the quality of development expected.

The National Planning Policy Framework encourages engagement with Councils and local communities to achieve early consideration of planning issues and improved outcomes for local development.

Whilst we cannot design a scheme for you, we can provide a professional judgement on the likelihood of success of your application and how we apply the policy requirements of the local development plan and national policy requirement.

Early involvement with planning officers and discussion can help you gain a clear understanding of the proposal, to receive policy and guidance advice to understand the planning history of the site, to gain specialist and technical advice in regard to

¹ Pre-application service is a discretionary service of the Council as permitted by Section 93 of the Local Government Act 2003

the application, and to understand the approach the Council make take in determining your application.

It helps to indicate the likely success or otherwise of your proposal and ensures a good healthy dialogue early in the process. These discussions will also allow the planning officer to set out relevant information requirements to you that should be supplied with any application for planning consent.

Overall this process should assist you in speeding up your application through the planning system and offer you a level of comfort before embarking on your project fully. Having written advice will provide clarity of the proposal to you.

Requesting pre-application written advice or having pre-application discussions can you help save time and wasted expense.

The guidance given by the Council's officers can then be taken into account in the preparation and working up of your proposals, which makes them more likely to comply and increase the likelihood of being acceptable.

However, pre-application advice is no guarantee of success, and will only be given without prejudice to the outcome of your application. By using the service, any issues are identified early before you submit your application.

Not all types of development require a pre-application service. If you follow the guidance on the Council's website, the Castle Point Local Plan 1998 and the National Planning Policy Framework, then you are increasing your chances of a successful application. Pre-application works best if your proposals does not comply with all our guidance and policies.

2. What is included?

Your officer and the process

Requests for advice will be allocated to a planning officer according to the complexity of your proposal. Major schemes will normally be dealt with by a senior or principal officer. To ensure that the process is as seamless as possible, the planning officer will usually also deal with your subsequent planning application.

The officer to whom the case has been allocated will review the materials you provide and contact you if they have any questions. What you should submit with your pre-application request is set out in Section 4 below.

Where a meeting is held, a written summary of the points will be sent after the meeting. The written summary will be sent by email.

You will receive you written response within the timescales set out in within Section 10, below.

The planning officer will assess the submitted information and will aim to provide you with constructive comments on the scheme in relation to the following so far as they are relevant:

- Relevant development plan policies and other Council strategies that may have a bearing on the proposal
- Site constraints, e.g. statutory designations such as conservation areas, Tree Preservation Orders and other constraints including listed buildings, flood zones and rights of way.
- Relevant planning history
- The details of the proposal, i.e. the acceptability of the design and amenity considerations, land use
- Infrastructure requirements, including the need for affordable housing, open space and contributions towards Council or County Council services.

We may be unable to give a definitive answer on some aspects without the cooperation and responses of consultees.

In the case of major development proposals, it may (at the officer's discretion) be necessary to consult statutory consultees and other groups prior to providing advice.

Pre-application consultations

Some consultees may not respond to pre application queries, but those that do may charge for the service. These charges would be in addition to the pre-application fee and would have to be paid by the applicant. We will advise you if a fee is requested although generally this applies to the more complex applications.

Where we need to consult, the pre-application process may take longer in order that we are in a position to provide a comprehensive response. Prior to incurring any additional costs proposed, these would be discussed with you.

The officer will let you know about consultees in their initial response.

Agreeing the application documents

We will advise you what we require to be submitted with your application and the information requirements (plans and supporting details/studies) to assist with the validation.

The Validation Checklist can be found at [Validation Checklist](#).

The Development Management Process

We will also explain to you how the development management process operates, the consultation process, decision making arrangements including committee and the likely timetable for assessment of a planning application.

Please note that Development Management Committees are held monthly.

Conditions and Section 106

For more complex schemes, conditions are likely to be attached, so we will run through how we will help you discharge those conditions.

There may also be a Section 106 Agreement and we will use the pre-application process to identify what that could contain and set out our requirements. Our preference is that where a Section 106 agreement is required to we agree the scope prior to the submission of an application, so that we can save time post decision finalising the agreement.

Specialist advice

The fee payable does not include the cost of specialist advice on ecology, design, historic buildings and archaeology. This is provided by Essex County Council. If this advice is to be provided there will be an additional fee payable to Essex County Council which the applicant would be required to pay.

Major developments

For major² schemes we would encourage at least two meetings before submitting a full application.

The first meeting allows officers to discuss the principle of development with you and identify concerns that need to be addressed.

The second meeting will review any changes made and provide additional advice based on those changes on whether the application is likely to be accepted.

However, if after the first meeting the planning officer considers that a second meeting is not required, then you will be advised.

There are no limits to the number of meetings which can be had, however for major schemes, so that officers can work with and support the applicant to facilitate the best form of development it is expected of applicants to commit to undertaking at least two meetings.

The first meeting is part of the pre-application fee, but for each subsequent meeting the meeting fee will apply.

Planning Performance Agreements

For the most significant schemes or strategic³ scale development, a Planning Performance Agreement (project management plan) will be appropriate.

² 10-49 new dwellings or extensions to or new commercial premises from 1,000 to 2,499sq.m. of floor space.

³ 50 or more new dwellings or extensions to or new commercial premises above 2,500 sq.m. of floor space.

In such cases it is likely that a range of meetings will be required in an iterative process that takes you through a variety of issues – design, access and transport, ecology etc.

A Planning Performance Agreement defines a process of dealing with the proposal in accordance with a timetable, principles and procedures are agreed together.

The planning officer will advise you on the need for a planning performance agreement.

3. How do I obtain pre application advice?

Requests for pre application advice should be made using the online form.

<https://www.castlepoint.gov.uk/pre-application-meetings-and-advice/>

Supporting documents and plans should be emailed to

Planning@castlepoint.gov.uk.

Please note this is not a mailbox for general enquiries.

When you submit the pre application request form you will be given a reference number. Please ensure you quote this when you email your supporting documents and plans.

Upon receipt of your request and payment for pre application advice, we will aim to contact you within 10 working days either to request further details or to confirm that your request is complete and will be allocated to a planning officer for action.

We will endeavour to deal with all requests for pre application advice but there may be occasions when conflicting workloads do not allow sufficient time to commit to the pre application process, we aim to advise you within 10 working days of receipt, if we are unable to accept an application.

4. What should I include in my submission?

As a bare minimum your include: -

- Location or site plan at a scale of no less than 1:500
- Existing plans
- Proposed plans
- A short document setting out your proposal, and the advice you are seeking from the department.
- Any supporting studies (for major developments)

If advice is required only on specific elements of a proposal, these elements should be clearly specified in the initial submission and can permit less details to be submitted.

However, you should be aware that the more relevant information provided, the more specific the advice provided can be.

Larger pre-application enquiries should also make reference to the Validation checklist on the Council's website, and consider submission of further relevant documents that would aid the officer in providing relevant advice.

5. How do I pay for pre application advice?

Payment of the relevant fee must be made by Debit / Credit card to the Councils Customer Services Team 01268 882200. All fees are inclusive of VAT.

For Strategic developments you will need to submit your request online and the officer will inform you of the fee once determined.

6. What do I need to do before advice can be given by the Council?

We will expect the following to be provided to enable your request to be actioned:

- Completed online Pre Application Advice form
- Payment of relevant fee (by debit / credit card only)
For Strategic developments you will need to submit your request online and the officer will inform you of the fee once determined
- Submit the documents outlined in Section 4

To ensure that requests for pre application advice are as productive as possible, applicants or their agents will be expected to provide sufficient information and plans to describe and explain their proposals. On receipt of the pre application request officers may require further information before they are able to proceed. In such cases, the pre application process may take longer in order that we are in a position to provide a comprehensive response.

If advice is required only about specific elements of the proposal, this should be clearly specified in the initial submission.

Please note that you can submit as much detail above the minimum requirements as you feel is helpful.

Supporting documents and plans should be emailed to

Planning@castlepoint.gov.uk

Please note this is not a mailbox for general enquiries.

When you submit the pre application request form you will be given a reference number. Please ensure you quote this when you email your supporting documents and plans.

7. What if a subsequent decision on an application does not follow the advice I was given?

Advice given will be based on the case officer's professional judgement and assessment of the information provided.

Pre application advice whether favourable or not is given on a 'without prejudice' basis since the Council must on submission of an application go through the statutory procedures and formal consultations and assess the outcomes before a decision can be made.

Whilst advice will be given in good faith, we cannot guarantee that a subsequent planning application will be successful. We nevertheless believe that pre-application advice is an extremely important part of the planning process.

Fees for pre application advice will not be refunded and do not affect any statutory planning application fee subsequently required.

8. What if I disagree with the advice received?

We recognise that you may not like the advice you receive, and it remains open to you to reject the advice and submit a formal application for determination.

Except where additional meetings are deemed necessary for major and large major proposals, pre application advice is provided for the scheme submitted only. Significant changes that result in a different form of development , may need to be the subject of a new enquiry and may require a further fee.

9. What if I want to withdraw my request for pre application advice?

You can withdraw your application and request a refund, at any time up to and including the day you receive confirmation of your pre-app. This refund will be subject to a £30 administration fee. If you do not withdraw your request within the timeframe specified above, the full fee will remain payable and is non-refundable.

10. Confidentiality

Requests for pre application advice and the response provided are treated as confidential and will not be placed on the Council's website.

There is however the possibility that under the Freedom of Information Act, we will be asked to provide information about enquiries for advice and copies of any advice given. We will need to decide whether such information can be treated as exempt from disclosure, for example if it is clear that its release could prejudice commercial interests.

You are therefore encouraged to indicate whether and for how long any information needs to remain confidential when making your request for advice. We may also state that pre-application advice has been given when determining any subsequent planning applications.

11. How much is the Pre-Application service, and how long does it take to receive a response?

The fees for each type of pre-application advice are set out on the Council's website at <https://www.castlepoint.gov.uk/pre-application-meetings-and-advice/>

These fees reflect average officer time and costs for providing the service. The fees are part of the Council's fees and charges and will increase in accordance with inflation annually.

For a pre-application meeting, you will receive both the meeting and written advice. Therefore, the total cost will be the fee for written advice and the meeting.

For any further meetings, you will need to pay the additional meeting cost.

12. What to expect from each pre-application advice

- Pre-application written advice will only provide a written evaluation of the proposal.
- Pre-application meeting advice will involve a meeting with an officer and a written summary of what was discussed at the meeting and advice given.
- For written responses, the target time frame is within 42 days of receiving your application.
- For meeting requests, the officer will contact you after their first review of your request to agree a timeframe for the meeting.
- A written summary of the meeting and advice given will be within 21 days of the meeting, unless otherwise agreed.
- The target timeframes do not start until the Local Planning Authority has received proof of cleared payment and it has received all required accompanying documentation.
- We will expect the following to be provided to enable your request to be actioned:
 - Completed online Pre Application Advice form
 - Payment of relevant fee (by debit / credit card only) For Strategic developments you will need to submit your request online and the officer will inform you of the fee once determined
 - Location and site plans
 - Sketch or indicative plans of the proposal
 - Indicative interior layouts (if advice is required)
 - Supporting studies/information (for major schemes)
- Applications which are submitted without indicative existing or proposed plans, but with a description of the proposal may exceptionally be allowed with the

agreement of the Assistant Director for Development Services, but feedback will be limited to discussions on the principles of development.

- Submission of additional documents/plans later in the process, not at the request of officers, may attract additional fees or may not be considered in their assessment. Everything needed to be considered should be submitted at the start of the application.
- The length of calls for general advice is half an hour.
- The length of meetings for householder and small scale pre-application advice is up to 1 hour. For minor and major applications the length of meetings is increased to up to 2 hours. Only the site subject of the application can be discussed in these meetings. Strategic site meeting lengths will be individually determined.
- If a pre-application advice meeting is applied for, meetings at the council offices or via Teams will be hosted free of charge. However, if a different venue is required, these costs will be passed onto the applicant. Onsite meetings/site visits will only be undertaken where an officer considers it necessary.
- The fee payable does not include the cost of specialist advice on ecology, design, historic buildings and archaeology. If this advice is to be provided there will be an additional fee payable which the applicant would be required to pay.
- For the most significant schemes or strategic scale development, a Planning Performance Agreement (project management plan) may be appropriate in which the process of dealing with the proposal in accordance with a timetable, principles and procedures are agreed together. A Planning Performance Agreement would be drawn up at the pre application stage and would lead the process through the application stage.