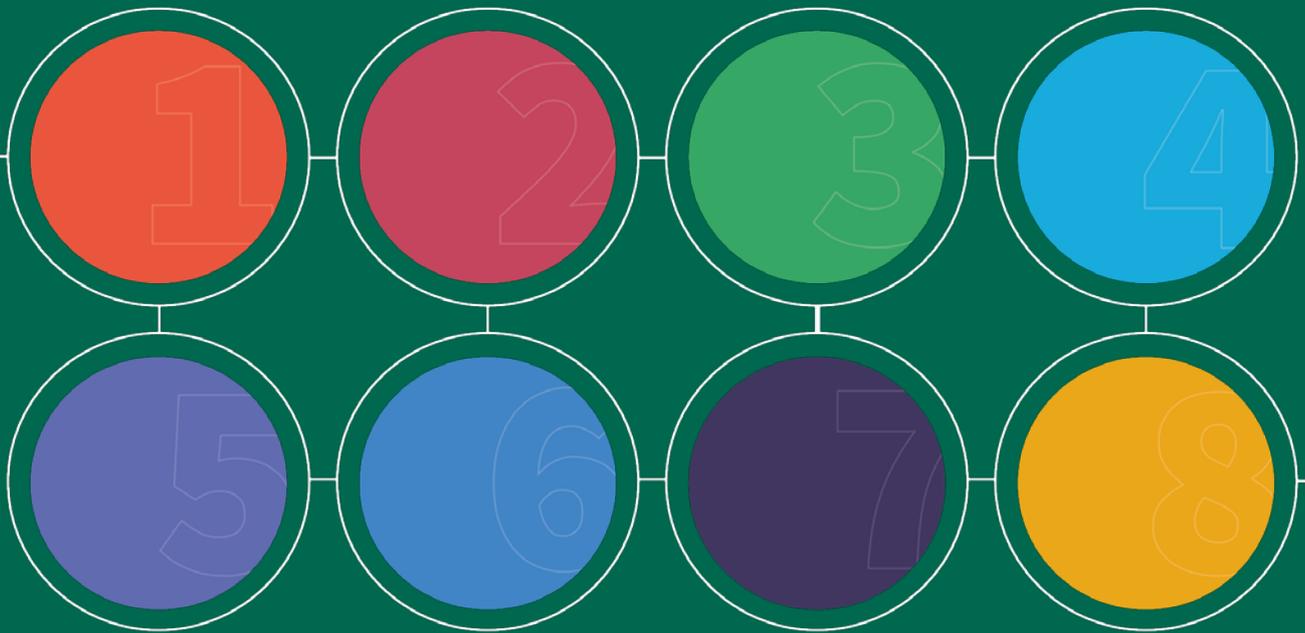


# PLANNING SERVICES



## GUIDE TO PRE- APPLICATION ENQUIRES

# Development Management Guide to Pre-Application Enquiries

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## Contents

<b>1.</b>	<b>INTRODUCTION.....</b>	<b>4</b>
<b>2.</b>	<b>BENEFITS OF PRE-APPLICATION ADVICE .....</b>	<b>6</b>
<b>3.</b>	<b>PRE-APPLICATION ENQUIRY FEES.....</b>	<b>7</b>
<b>4.</b>	<b>PRE-APPLICATION ENQUIRY SERVICE STANDARDS .....</b>	<b>9</b>
<b>5.</b>	<b>PRE-APPLICATION PROCESS .....</b>	<b>12</b>

## 1. INTRODUCTION

The Council offers two tiers of pre-application advice: generic and bespoke.

Generic advice is free guidance on the Council website that customers can use to determine whether their proposals are in accordance with planning policies.

Bespoke advice is tailored advice prepared by planning officers based on information provided by the customer.

It is important to note that pre-application advice is provided strictly without prejudice to the Council. The Planning Authority's determination of any subsequent planning application will be determined based upon all material considerations, including views of all stakeholders (including the public) as at the date of determination. There will be no refund payable if a subsequent planning application is ultimately refused. In addition, the pre-application enquiry charge and service is entirely separate from statutory planning fees and process and will not discount any subsequent application fee.

This guide relates to the bespoke advice service only and the Council may decline to provide pre-application advice at its discretion.

Please note that:

- certain types of development are not eligible for bespoke advice other than in exceptional circumstances:
  - advertising and signage, or
  - simple changes of use/alterations.
- the service is not available for live applications which have already been submitted and are in the process of being determined.
- non-material variations do not fall within the scope of the service.

Customers in any doubt about whether they are eligible for pre-application advice are requested to email the Council at [planning@westlothian.gov.uk](mailto:planning@westlothian.gov.uk) **before** submitting a request form.

All bespoke pre-application advice provided by the Council is subject to a charge with the exception of developments **primarily** relating to works to improve accessibility for people with disabilities.

## Development Management Guide to Pre-Application Enquiries

Customers should specify in their request form if they consider that they are exempt from charges on this basis.

Charges are based upon the planning fee for the scale of development that is being proposed; this reflects the greater costs associated with providing advice on larger, more complex, development proposals. For clarity, the planning fee that the charge is based on would be the fee for a new application of the type proposed on an unspecified site and specifically, it is not based on the planning fee for any site specific resubmission application.

In some cases, the Council may, at its discretion, provide this or an additional service at no cost if this is judged to be in the public interest.

Where developments fulfil the criteria for different categories, the service (and charge) for the larger category will apply. For example, a development of 40 homes on a site of 2.1 hectares would be classed as a major development due to the site area being at least 2 hectares.

## **2. BENEFITS OF PRE-APPLICATION ADVICE**

The planning system can often seem complex and confusing and as part of a positive and proactive planning service, Development Management is committed to providing reliable pre-application advice.

Pre-application advice gives customers who anticipate making an application for planning permission to the Council the opportunity to receive feedback on their proposals before making the application.

This can help the customer to improve the quality of their application, avoiding wasting time and money.

The process aims to take some of the uncertainty out of the planning application process and allow applicants to make more informed decisions when considering development proposals.

It is important to note that pre-application advice is provided strictly without prejudice to the Council. The Planning Authority's determination of any subsequent planning application will be determined based upon all material considerations, including views of all stakeholders (including the public) as at the date of determination. There will be no refund payable if a subsequent planning application is ultimately refused. In addition, the pre-application enquiry charge and service is entirely separate from statutory planning fees and process and will not discount any subsequent application fee.

### 3. PRE-APPLICATION ENQUIRY FEES

The Council will endeavour to provide pre-application advice at the cost as set out below within a set timescale.

This timescale begins when an application for pre-application advice has been submitted, validated, and payment made in full.

The timescale will be paused if additional payments are determined as being due.

Application	Fee Payable
<b>Householder</b> (Including change of use of land for domestic purposes only)	£90 (£75 +VAT)  Additional £90 (£75 +VAT) if the applicant requests a 1hr meeting or a site visit.
<b>Local Development</b> (Excluding Householder BUT including other change of use of land or buildings)	SMALL (Up to 10 residential units or up to 999m <sup>2</sup> class 4 / 5 / 6 / other / mixed space or Change of Use Proposal)  50% of the cost of the planning application fee, subject to a maximum of £1200 (£1000 + VAT)  Additional £120 (£100 +VAT) if the applicant requests an unaccompanied site visit prior to advice letter being sent.  Additional £300 (£250 + VAT) if the applicant requests a face to face meeting or site visit.
	MEDIUM (11 – 49 residential units or 1000m <sup>2</sup> to 9999m <sup>2</sup> class 4 / 5 / 6 space or 1000m <sup>2</sup> to 4999m <sup>2</sup> other / mixed space)  50% of the cost of the planning application fee, subject to a maximum of £2400 (£2000 + VAT)  Additional £120 (£100 +VAT) if the applicant requests an unaccompanied site visit prior to advice letter being sent.  Additional £300 (£250 + VAT) if the applicant requests a face to face meeting or site visit.

Development Management  
Guide to Pre-Application Enquiries

<b>Major Development</b>	<p>50% of the cost of the planning application fee, subject to a maximum of £3600 (£3000 + VAT)</p> <p>Additional £120 (£100 +VAT) if the applicant requests an unaccompanied site visit prior to advice letter being sent.</p> <p>Additional £300 (£250 + VAT) if the applicant requests a face to face meeting or site visit.</p>
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## 4. PRE-APPLICATION ENQUIRY SERVICE STANDARDS

The Council will endeavour to provide pre-application advice in line with the following service standards.

The timescale begins when an application for pre-application advice has been submitted, validated, and payment made in full.

The timescale will be paused if additional payments are determined as being due.

Application	Service Standard
<p><b>Householder</b> (Including change of use of land for domestic purposes only)</p>	<p>The case officer will review the information submitted by the customer accompanying their request form.</p> <p>As the advice the case officer will provide is based wholly upon the information provided by the customer, it is important that this is as comprehensive as possible. The case officer will, if relevant and based on their judgement, contact other relevant Council service areas and consultees. The case officer may contact the customer if any clarification is required.</p> <p>The target is for an advice letter, including feedback from other Council service areas, to be provided to the customer within 20 working days of the request for pre-application advice being submitted, validated and any required payment made in full.</p> <p>Following the issuing of the advice letter officers, may at their discretion, provide 1 additional verbal update on any revised proposals which consist only of minor changes to the original request.</p> <p>Any further updates or changes to the original request will require a fresh pre-application request.</p> <p>Customers, if they wish, can pay a surcharge of £90 (£75 +VAT) for a one-hour meeting with the case officer prior to the issue of the advice letter. This may be appropriate for more complex householder developments where a face-to-face meeting is more practical.</p> <p>Please note that customers cannot request a meeting as an alternative to paying for the pre-application enquiry service.</p>

Development Management  
Guide to Pre-Application Enquiries

<p><b>Local Development</b> (Excluding Householder BUT including other change of use of land or buildings)</p>	<p><b>BOTH SMALL AND MEDIUM</b></p> <p>The case officer will review the information submitted by the customer accompanying their request form.</p> <p>As the advice the case officer will provide is based wholly upon the information provided by the customer, it is important that this is as comprehensive as possible. The case officer will, if relevant and based on their judgement, contact other relevant Council service areas. The case officer may contact the customer if any clarification is required.</p> <p>The target is for an advice letter, including feedback from other Council service areas, to be provided to the customer within 20 working days of the request for pre-application advice being submitted, validated and any required payment made in full.</p> <p>An unaccompanied site visit can be requested by customers for a surcharge of £120 (£100 + VAT). This may be requested by customers where it is felt that a site visit would help to inform the case officers understanding of the site and proposed development.</p> <p>Following the issuing of the advice letter the case officer, may at their discretion, provide 1 additional verbal update on any revised proposals which consist only of minor changes to the original request.</p> <p>Any further updates or changes to the original request will require a fresh pre-application request.</p> <p>Customers, if they wish, can pay a surcharge of £300 (£250 +VAT) for a one-hour meeting or site visit with the case officer prior to the issue of the advice letter.</p> <p>This may be appropriate for more complex small local developments where a face-to-face meeting is more practical.</p> <p>Please note that customers cannot request a meeting as an alternative to paying for the pre-application enquiry service.</p>
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Development Management  
Guide to Pre-Application Enquiries

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## 5. PRE-APPLICATION PROCESS

### How to make an application

All applications for a pre-application enquiry should be made using the online application form on the Council website.

Requests for pre-application advice made via other channels will not be accepted and applicants will be directed to the above webpage.

Customers should complete the form in full, providing as much information as possible about their development proposals and the information sought. Pre-application advice can only be offered based upon information that has been seen and considered by the case officers. The customer must therefore ensure that all relevant information on what they are proposing has been provided to the case officer. Where the customer is meeting with the case officer, information must be provided in advance. The case officer may not be able to comment on any information that the customer does not provide prior to the meeting

Customers may also provide accompanying documents to further help explain their development proposals.

At minimum, the customer is asked to provide a location plan with the site outlined in red and identifying other land within the ownership or control of the applicant. Also having any known environmental constraints marked (e.g. existing trees, levels, and water management issues such as flood plains, culverted water courses, etc) in 1:1,250 or 1:2,500 scale.

It is also recommended that the customer provide the below documents if available:

- Block plan (1:500 or 1:250 scale);
- Existing/proposed elevations (1:100 or 1:50 scale);
- Existing/proposed floor plans (1:100 or 1:50 scale);
- Draft outline design/access statement.

When the completed form has been submitted the accompanying documents should be submitted separately by email to [planning@westlothian.gov.uk](mailto:planning@westlothian.gov.uk).

Accompanying documents should be in PDF format and should total no more than 10 MB in file size.

Once the form and accompanying plans / details have been submitted, the Council will make contact to take payment and then to deliver the service.

A case officer will be nominated within the Council's Planning service who will lead on delivering the service.

Should the Council decline to offer pre-application advice, the customer will be advised of this and the reasons why as soon as possible.

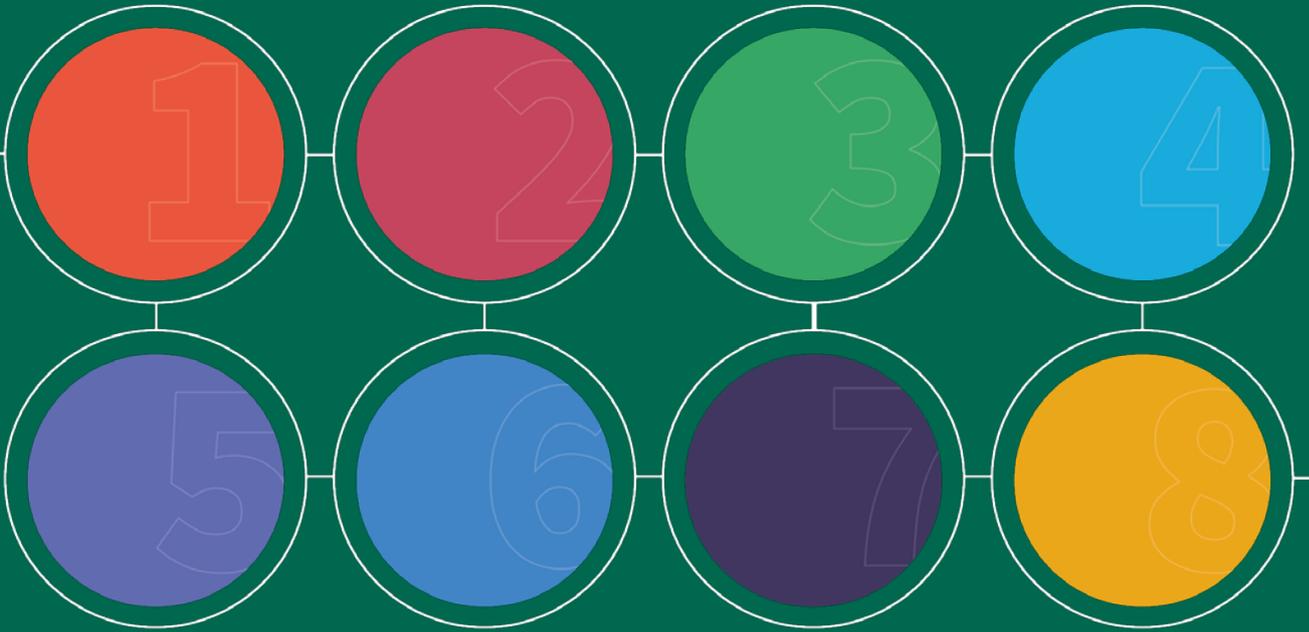
### **Response - Advice provided in relation to application**

The customer will receive an advice letter from the Council. This will be issued electronically in line with the timescales set out above.

The advice letter will be signed by the relevant service manager and will contain, at minimum:

- An overall view on whether the development proposals are likely to be acceptable.
- Key mitigation required to make a proposal (more) acceptable.
- An indication of likely developer contributions required from the development.
- An expiration date for the advice after which renewed advice should be sought.
- Any other relevant information arising during the provision of the pre-application advice service, for example detailed feedback from consultees, will be appended to the letter.

The advice letter will be the property of the customer and can be shared at their discretion. A copy of the advice letter will be held by the Council and will be referred to should an application subsequently be made for the site in question to ensure continuity.



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