

# Planning Services

## Pre-Application Advice

Last Updated April 2023

Pre-application discussions are important within the development management framework in ensuring that development in the County better reflects community aspirations and County Council priorities.

A successful approach to managing pre-application discussions can achieve better design outcomes and save on overall costs to the applicant as well as contributing to the delivery of the County Council's planning performance targets.

Pre-application advice should result in a higher proportion of subsequent applications being valid upon receipt and the increased likelihood of such applications being determined within the target period for determination.

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The County Council wishes to continue to encourage, expand and promote engagement through pre-application advice. Additionally, it is considered that the charging regime for the non-statutory advice would provide a clear and time bound process for both customers and officers, adding certainty to the procedure and improving the accountability of the advice.

### What kind of developments will benefit from this service?

#### Large Scale

- All new quarries and landfill sites.
- Extensions to existing quarries/landfill sites where extraction/deposit exceeds 30,000 tonnes per annum (tpa) or 5 hectares (ha).
- Major energy minerals, or infrastructure proposals, including all stages of hydrocarbon development.
- Any development involving the creation or change of use of 2,000m<sup>2</sup> or more of floor space.
- Any development on sites over 5 ha.
- Any new waste management facility processing over 50,000 tpa.
- Any new hazardous waste management facility processing over 5,000 tpa.
- Any mineral or waste restoration/regeneration sites more than 5ha.
- Schedule 1 and 2 Environmental Impact Assessment (EIA) development.

## Major

- All minerals and waste proposals except those listed in large scale or minor categories.
- Any waste management facility processing between 5,000 and 50,000 tpa.
- Any development involving the creation or change of use of floorspace between 1,000 and 2,000m<sup>2</sup>.
- Development on sites over 1 hectare (but less than 5 ha).

## Minor

- Minor minerals and waste proposals not listed in the large scale or major category i.e. minor variations/non-compliance with existing schemes / installation of plant and machinery.
- Any development involving the creation or change of use of floor space less than 1,000m<sup>2</sup>.
- Development on sites of less than 1ha.

## Other Development

- Any development involving less than 500m<sup>2</sup> of floor space e.g. boundary treatment.
- Requests for confirmation as to whether planning or other permission is required.
- Proposals where there is no planning fee.
- Any proposal relating to the needs of people with disabilities.
- Certificate of Lawful Development.
- Non-Material Amendments.

## Meetings

- Informal, office-based or virtual meeting to discuss any proposal (Up to one hour. No written advice).

## Fees for pre-application advice

Development Type	Charges (+VAT)
Large Scale	£1,200
Major	£750
Minor	£350
Meeting only	£150
Other development	Free

These fees include the amount of time taken by a planning officer from the investigation stage to providing final written comment. A meeting, at the applicant's request, to discuss the proposal (virtual or office based) is also included in the fee. They also cover the cost of time of any specialist officer within the Council contributing to the final written advice.

#### Additional meetings

For more complicated proposals a number of meetings may be required to cover all relevant issues before a formal application is submitted and will attract a fee of £150.00 (+ VAT) for additional meetings.

Please note that this fee is solely for the provision of pre-application advice and does not count towards the fee for any subsequent planning application. It is also non-refundable unless the meeting is cancelled by the County Council.

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### Benefits of pre application advice

- Reduce the amount of negotiations and amendments required at the formal application stage.
- Provide a brief summary of the discussion and highlight key issues raised by the proposal.
- Consideration of the principle of the development in the context of current planning policy.
- Highlight the key issues to be addressed by the planning application submission to make it likely to be acceptable in planning terms.
- Identify the documentation that will be required to support an application.
- Indicate whether this application might require a formal Environmental Impact Assessment, or assessment under any replacement environmental legislation.
- Advice on whether a Section 106 planning obligation is required.
- Advice on information required to validate an application.
- To establish a timetable for the formal application.
- Advice on the community engagement.
- Advice regarding Planning Performance Agreements.

### What you will receive from us?

When the County Council has received the appropriate fee / outline of proposals the level of Service is as follows:

- Acknowledgement of request and arrange an initial meeting, if requested, within 5 working days of request.
- The production of a detailed written response within 25 working days (or agreed extension of time).

- Proposals that require more extensive consultation or investigation will be subject to a longer timescale by agreement. This will be discussed at an early stage so as to provide advice to an accepted scope/timescale.
- Additional meetings held at the applicant's request.

## **Local Member / Community Involvement**

It is important that pre-application discussions for major/significant proposals also involve appropriate member and community involvement as this is a key element of the Localism Act. For large scale proposals Officers will offer potential applicants the opportunity to present their emerging proposals with Members of the Regulatory Planning Committee. The meetings will help Members become engaged at the pre-application stage to give them an early opportunity to understand the details, potential impacts and the benefits of a scheme, in particular, on the local community and environment.

This will not be mandatory for applicants given that some schemes may be subject to confidentiality agreements. Officers will also provide customers with advice on best-practice on the requirements for community consultations.

## **Notes**

Any pre-application advice that has been provided will be carefully considered when reaching a recommendation on an application; subject to the provision that circumstances and information may change or come to light that could alter that position.

Any advice given by the County Council Officers does not constitute a formal response or decision of the County Council.

Any views or opinions expressed are in good faith, and to the best of ability, without prejudice to the formal consideration of any application which will be subject to statutory public consultation and ultimately determined by the County Council.

## **Information we require for pre-application advice requests**

- The County Council require sufficient information to respond to proposals. The more information you can provide the more comprehensive our advice can be.
- A location plan at a scale of not less than 1:1250 showing the site clearly marked.
- Site layout plan of not less than 1:500.
- Details and photographs of the existing site and buildings including the location of trees, topography and landscape features.
- Details of what is considered to be the existing lawful use of the site or buildings on the site.
- The applicant's status regarding the ownership of the land to be covered by the application.

- A full description of your proposals including a breakdown of the site/ and schedule of proposed uses.
- Drawings and sketches of the proposed development. This should include elevations, floor plans, adjacent buildings, access, servicing, parking arrangements, the initial architectural approach and materials where known.
- For minerals and waste applications it should also include quantities to be extracted or processed per annum, likely timescales if temporary development and appropriate drawings.
- Any additional drawings that help demonstrate the impact of the proposal on its surroundings.

## What to do next

To request pre-application advice, please complete the online pre-application advice request form and attach all relevant information. The [online pre-application advice form](#) can be found on our website.

Requests can also be made using a downloadable / printable version of the pre-application advice form which can be downloaded from our website [here](#) and sending it to:

### Post:

Planning Services  
Derbyshire County Council  
County Hall  
Smedley Street  
Matlock  
DE4 3AG.

### Email:

development.management@derbyshire.gov.uk

## Payment of charges

The pre-application fee must be paid when submitting your request. The Council will not process your request until the correct payment has been received.

Payment can be made by credit or debit card [here](#), by cheque made payable to “Derbyshire County Council” or by bank transfer. Should you wish to pay by bank transfer or experience any problems in making your payment please contact us at the above email address or by telephone: 01629 539800.