

Pre-Application Charges Service Standards

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**COUNCIL OF THE
ISLES OF SCILLY**



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If you require any of the documents in an alternative language, in larger text, Braille, easy to read or in an audio format, please contact the Council at diversity@scilly.gov.uk or telephone: 0300 1234 105.

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Service Standards for charged-for pre-application planning advice.

Introduction

Whilst pre-application advice is always given in good faith and on the basis of the facts available at the time, the advice you are given is *not* binding on the council in the event of the submission of a planning application, when full consultations will be undertaken, and a full assessment will be made.

The Council of the Isles of Scilly retains the right not to respond to requests for pre-application advice which are not entered into cordially or objectively.

Enquires as to whether planning permission is required

In response to such enquiries, you will receive a 'yes' or 'no' answer as part of the free service.

If the answer to your enquiry is 'yes' and you would like advice on the likelihood of planning permission being granted, that request will be treated as a pre-application enquiry and will be subject to the relevant validation information, fee and target response timeframe as set out in the Fee Schedule.

If the answer is 'no,' you will be advised to submit a Certificate of Lawfulness as this will give you the official documentation that you would require in any future sale of your property.

How your pre-application request will be processed

Advice will be based on the proposals as originally made in writing. Consequently, proposers are urged to ensure that sites can be readily identified, and that proposals are adequately described, to enable a meaningful response. To this end, site location maps, block plans, and written descriptions including details of the scale of proposals are required. Detailed elevations are encouraged especially in conservation areas, and where proposals concern listed buildings. Please see the validation criteria for each category in the 'Terms of Service' section of the Fee Schedule.

All proposals will receive a planning history and planning policy review. Proposals for non-householder minor or major development will also receive an unaccompanied site visit from the public realm. It may be necessary to make arrangements to access land and property to undertake an appropriate inspection.

Requests for a meeting will normally result in the offer of a meeting within four weeks of receipt of the detailed enquiry and fee.

All written responses to proposals will include a list of the validation requirements for a planning application for those proposals, the heads of terms to be sought in any supporting Section 106 (s106) agreement for such an application, and a list of the consultees we would consult on receipt of such an application.

The Council of the Isles of Scilly cannot be held accountable for advice from third parties, including the Highways Authority or other statutory consultees. Consequently, responses from third parties on proposals cannot be guaranteed within the above timescales and may be subject to additional fees payable to them by the proposer. For example, we would not, at the pre-application stage, get advice from external statutory consultees such as Historic England, Natural England or the Environment Agency. Where additional meetings can be requested, as detailed on the Fee Schedule, these will be to discuss minor revisions to the existing pre-application submission, which will need to be submitted to the case officer at least 10 working days before the meeting.

The case officer will be responsible for making the judgement as to whether the additional information does constitute a minor revision to the original pre-application submission. Changes that are considered not to be minor will be considered as a new pre-application advice request, subject to the validation requirements, the full fee and relevant timescale for response as set out in the Fee Schedule.

Timescales for written responses

We aim to respond to pre-application advice requests within the timeframes set out for each category in the Fee Schedule.

Where the case officer needs additional time to provide a written response to your request for advice, they will provide a written update to this effect and give a revised target date for a written response to the pre-application request (including a reason as to why additional time is needed.)

Terms of Service

Pre-application enquiries for Listed Buildings, Conservation Area, Article 4 Property, Non-designated Heritage Assets and Registered Parks and Gardens will be subject to the higher fee which includes Heritage advice.

Site visits will not be carried out for Householder enquiries unless the building is a Heritage Asset and then a site visit may be carried out at the discretion of the Case Officer.

Please note that once the advice letter has been issued, the submissions of a revised scheme will be classed as a new request for pre-application advice and will be subject to a further fee.

The timescale for the response will only commence when we have a valid pre-application enquiry as detailed below:

Disclaimer

Advice given by officers for pre-application enquiries does not indicate a formal decision by the council. Any views or opinions given are without prejudice to the formal consideration of any planning or other application. The final decision on any application that you may then make can only be taken after the council has consulted local people, statutory consultees and any other interested parties and will then be made either by the Full Council, or under delegated powers in accordance with the council's approved Scheme of Delegation, based on all information available at the time. Officers cannot therefore guarantee the final formal decision that will be made on your application(s).

Pre-application advice given is advisory only and if you were to purchase any land/buildings on the advice of the pre-application assessment you do so at your own

risk, as the council would not be held accountable if a scheme was not supported at a later date.

Freedom of Information requests

Under the Freedom of Information Act 2000 or Environmental Information Regulations 2004 the Council may receive a request to disclose pre-application advice requests and the advice we have provided. The applicant will need to state in writing why they require a request for pre-application advice to be confidential, detailing the reasons valid under the Act for this at the time of your request.

The Council will not respond at the time of your request but will take it into account when deciding whether to release information.

END