



Isle of Wight Pre Application Advice Guidance Note

Introduction:

Pre-application advice is considered vital and is encouraged wherever possible and is an important aspect of the planning process which can be of benefit to all parties involved. It can save time and money and should improve the quality of applications being submitted. It should also allow the council to deal with applications promptly and provide applicants with a greater degree of certainty.

The rationale for the pre-applications advice service is:

- To advise at an early stage whether proposals would be likely to accord with the development plan
- To identify key issues and material considerations
- To try to overcome any possible reasons for refusing permission (where possible)
- To improve the quality of the applications submitted
- To improve customer care and satisfaction with the service, and
- To enable the council to use its limited resources in the most efficient manner.

Please Note:

There are limits to the pre-application advice that can be given by officers as it is based on information that is provided. The pre-application advice service is not a passport to getting permission for unsuitable planning proposals, nor is it a guarantee of gaining permission. The final decision on planning applications is made by council members or senior officers. It can only be taken once a formal planning application has been received and consultations have been carried out with statutory and general consultees and other interested parties. You should therefore be aware that whilst officers will endeavour to give the most appropriate and accurate advice possible any pre application advice is not legally binding and does not prejudice any future decision that the council may take and that council officers are unable to give any guarantees about the decision that will be made on an application.

Formal planning applications will be the subject of publicity and consultation in accordance with the council's procedures. You should also be aware that as a result of formal consultation on an application, there may be other matters which may come to light which could result in additional issues being raised that are relevant to the outcome of the application or require additional information to be provided to the local planning authority.

Do I need Permission?

For a simple guide to permitted development, please visit the [Planning Portal](#) or seek advice from a third party such as a planning consultant, agent, architect or Planning Aid.

What does it cost?

Planning application fees do not cover the cost of a pre-application advice service and Council's may charge for this service. To provide a high quality pre-application advice service the Isle of Wight Council does charge for advice and the fee schedule is set out below:

Type of Application	Proposed Fee
Householder	£40.00 This will cover one response giving advice and an opinion. The need for a meeting is at the discretion of the planning officer. If needed the fee includes a meeting of up to 30 minutes
Other (Change use etc)	£60.00 This will cover one response giving advice and an opinion. The need for a meeting is at the discretion of the planning officer. If needed the fee includes a meeting of up to 30 minutes.
Minor (1-9 dwellings & up to 1000m ² floorspace)	£100.00 This will cover one response giving advice and an opinion. The need for a meeting is at the discretion of the planning officer. If needed the fee includes a meeting of up to 1 hour
Major (10-99 dwellings & 1000m ² + floorspace)	£400.00 This will cover one response giving advice and an opinion and may also include a meeting of and site visit of up to 1 hour, but this is at the discretion of the case officer.
Large Major (100+ dwellings)	£1,000.00 This will cover one response giving advice and an opinion and will include for one meeting of up to 1 hour and one site visit of 30 minutes.
Planning Performance Agreements	10% of the total planning application fee Bespoke agreements to cover pre-application advice, the application process and post decision monitoring, the allocation of a dedicated case officer and an agreed timeframe for determination.

Terms and conditions

- Standard fees inclusive of VAT must be paid on submission of the request for advice.
- The Council reserves the right to waive the fee for charitable organisations and community groups.
- Please note that where the proposal includes development falling within one or more categories the fee will be charged at the higher fee category.
- Where a fee has been submitted for advice without all other necessary information and the additional information is not received within a 28 days of the original submission, or the request is withdrawn by the applicant, the fee will be returned but £35 will be deducted to cover administration costs.

Pre-application advice:

You can apply for pre-application advice online for householder [here](#) and non-householder [here](#), via email at development@iow.gov.uk or in writing to Seaclose Offices, Fairlee Road, Newport, Isle of Wight, PO30 2QS.

Upon confirmation that payment has been received, and within 5 working days of receiving a request, the case will be allocated. If further information is required, the case will not be allocated until the further information has been received. The target date for responding to a request will be 20 working days, although this cannot always be guaranteed for more complex schemes.

For further details of the response times, please see the flow chart of the process.

What we need from you

- Completion of payment and provision of information;
- A plan clearly showing the location and extent of the site, together with details of ownership and identifying any other land within the ownership or control of the applicant;
- Information on the site, including the existing use, a schedule of existing floorspace and any known planning restrictions/constraints (having considered the planning information available either on the council's website or elsewhere), for example whether the site is within a Conservation Area or is a Listed Building (only required for major or minor development);
- A description of the proposal, including a calculation of any additional floor space if appropriate; and
- Any necessary scaled plans, elevations and photographs) the latter of which are often useful as an aid to understanding a proposal).

We may request further information if required. Consideration of a proposal will not be given until the pre application fee has been paid in full.

Remember the more information you are able to give us at the pre-application stage, the greater the assistance we can give you. Note that we may only refer to key principle policies and that the current development plan and national planning guidance should still be applied accordingly.

What is included in the advice that we provide to you.

An officer will:

- Consider at the proposal against Council policies and standards.
- Arrange to attend a meeting and/or a site visit with the applicant and/or agent. This will be at the case officer' discretion. This could be a telephone discussion, office based or a site visit if necessary.
- Consider the need for further investigations or key groups that may need to be spoken to.
- Write to you and let you know whether we think you should continue with your planning application.
- Provide you with constructive feedback on issues and potential solutions, giving you an informal opinion on the proposal.

The advice given will depend on the complexity and nature of the proposed development but could include:

- **Relevant planning policies:** whether the proposed development is likely to be acceptable in policy terms;
- **Constraints:** for example, conservation area, world heritage site, area of outstanding natural beauty etc.
- **Land use:** acceptability of proposed uses.
- **Residential development:** acceptability of mix of units, affordable housing requirement.
- **Design:** comments on built form, scale, massing, views, street scene, historic context etc, impact on amenity of adjoining occupiers.
- **Crime Prevention:**
- **Sustainability:**
- **Amenity:** which properties may be affected, impact on a public right of way, what further assessment is required in terms of daylight/sunlight studies, noise studies, contaminated land studies, drainage and flooding assessments, ecological and tree surveys and landscape assessment.

- **Transport and highways:** advice and comment on servicing, access, parking standards, cycle parking, disabled parking, requirements for a transport statement/assessment and Section 38/278 matters (Highways Act 1980).
- **Community engagement/public consultations:** who to contact, e.g. local councils, community groups etc.
- **Financial/Infrastructure contributions:** possible heads of terms or planning obligations that may be required together with an indication of likely contribution levels .
- **Supporting documents:** a list of supporting documents that would need to be submitted with any application. For listed building applications this would include a pre-submission validation check.

The response will be a “without prejudice” informal opinion on the proposal together with the responses from any consultations carried out and suggestions on how the application could be improved.

Please note that Pre application advice only remains valid for up to 6 months after it is provided.

Planning Performance Agreements (PPA)

For large scale projects we can offer pre-application advice linked to a Planning Performance Agreement. We would offer comprehensive support to the applicant through the process, to agreed standards with a phased payment schedule built into the PPA. The total fee for this service would be 10% of the anticipated application fee for the planning application.

Should the advice you require be based on the need for on-going discussions or require the benefit of the comments of key consultees then we recommend that a Planning Performance Agreement is entered into. This is a bespoke agreement which includes the allocation of a dedicated officer and an agreed timeframe for determination.

Applicants will be advised in writing within 10 working days if we are able to provide the service, in which case a fee quote and further details will be issued. The fee for the PPA will be all inclusive and will be based on the site, scale and complexity of the proposal and the resources needed.

What if I disagree with the advice received?

We cannot guarantee that you will agree with the advice you receive. Some matters within planning are subjective or based on interpretation of policy and/or case law and in most cases, it is differences of opinion rather than factual errors that give rise to disagreement, and these can only be resolved through the formal planning process. However, if you feel that something has gone wrong, please explain to the officer involved, as he or she may be able to clarify the situation further.

What do I do if my planning application has been refused or I withdraw my application?

Your refusal notice contains details of how to lodge an appeal. Before proceeding to appeal you are advised to contact the case officer to discuss the reasons for refusal and consider whether the issues can be addressed by negotiation.

Freedom of Information

Enquiries, together with any response made by the Council, will be made available to the public unless applicants confirm in writing to us that the information provided is commercially sensitive. If the Local Planning Authority receives a request, under the Freedom of Information Act (FOI) or Environmental Information Regulations (EIR), to show information relating to pre-application questions they are obliged to do so unless the information is exempt under the Act.

We can only withhold information under FOI or EIR if the information falls under one of the exemptions (FOI) or exceptions (EIR) set out in legislation. For certain pre-application issues the applicant would be advised to complete the commercially sensitive checklist that should set out the reasons why, and for how long, they feel any information relating to the case needs to remain confidential. However, whilst we will take account of these views, the final decision on whether the information should be withheld rests with the Council. The Council maintains compliance to the Data Protection Act and we will not release any personal information to third parties.

Appendix 1 - Basic Service Flow Chart

