



ISLINGTON

Major Development pre-application procedure

ISLINGTON COUNCIL
Public Protection and Development Management Division
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Planning advice note

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NOTE: All information contained in this document is correct at the date of publication. It is likely that some requirements may change over time.

1 Introduction

Major development applications submitted to Islington raise very complex issues due to factors such as a high density of developments, mixed uses, a sensitive historic environment, high land values, an articulate and involved local population and a large number of workers and visitors to the borough.

The complexity of major planning applications and the drive to deliver quicker planning decisions mean that Islington has decided to operate a scheme to provide a structured pre-application advice service for the major and complex development proposals that it is asked to consider.

This Planning Advice Note explains the procedure that the Council uses for providing pre-application advice on major and complex development proposals.

The service has been designed to enable you to receive clear advice on your proposal from the local planning authority within an agreed time frame and to an agreed level of detail. We can also explain what information should be provided with your application, agree timeframes within which we will provide pre-application advice and – where appropriate – agree timeframes for the consideration of any subsequent planning application, including committee dates and community consultation.

Our intention is to provide guidance to ensure that your proposal will be in accordance with Council policy, and clarity with regard to timescales.

The pre-application service is subject to an initial charge of £2,350 (see appendix 1). More complex schemes will require additional meetings that attract additional fees.

PLANNING APPLICATIONS WHICH ARE SUBMITTED WITHOUT FIRST GOING THROUGH THE PROCEDURE MAY BE DELAYED DUE TO INADEQUATE INFORMATION BEING PROVIDED, OR – IF UNACCEPTABLE IN PLANNING TERMS – MAY BE REFUSED WITHOUT NEGOTIATION OR REFERENCE TO THE APPLICANT.

Please read the document carefully before requesting an initial meeting.

For an informal discussion on whether the service is right for you call the Team Leader (Major Applications) via Contact Islington (020 7527 2000).

The information you provide at pre-application stage will be kept on a publicly accessible case file unless you specifically request that it is treated in confidence (subject to the requirements of the Freedom of Information Act).

All documents submitted with a planning application are available for public inspection and will be made available on the Council's website.

Note 1: The Local Government Act 2003 allows councils to make charges for certain types of development proposals and certain development briefs.

2 What is Major Development?

Major Development is defined in the Town and Country Planning (General Development Procedure) Order 1995 (see Note 2, below) and includes:

- provision of 10 or more flats or houses, and
- provision of over 1,000 square metres of floorspace.

There are other types of major development but these are unlikely to arise in Islington.

In addition to the above, the following developments will be subject to the pre-application procedure:

- proposals for development requiring an EIA;
- proposals involving complex listed building or conservation issues; and
- telecommunications proposals for composite proposals for 10 or more sites.

All major development proposals (as defined above) will be subject to the pre-application procedure.

3 Why are we providing this service?

Since the government introduced the target to decide most Major applications within thirteen weeks, we have considered how we can streamline our processes to more effectively deliver our service. It is also widely recognised by applicants that pre-application discussions are useful as a way of providing greater certainty and clarity by identifying planning issues and requirements early on in the process.

Pre-application work for major developments is considerable, requiring significant resources and high workloads for our major planning applications team. For this reason we have decided to introduce a charge for the system. This will help us to sustain and develop the service and reduce the call on public money and will mean that only serious proposals are submitted for consideration by developers.

It is strongly recommended that you use the service before you submit a formal planning application. Applications for proposals which have not been considered at pre-application stage and which do not contain sufficient information or which are not in line with Council policy may be refused without reference to the applicant.

Note 2: Major development is defined in the Town and Country Planning (General Development Procedure) Order 1995 as being "development involving any one or more of the following-

- (a) the winning and working of minerals or the use of land for mineral-working deposits;
- (b) waste development;
- (c) the provision of dwellinghouses where-
 - (i) the number of dwellinghouses to be provided is 10 or more; or
 - (ii) the development is to be carried out on a site having an area of 0.5 hectare or more and it is not known whether the development falls within paragraph (c)(i);
- (d) the provision of a building or buildings where the floor space to be created by the development is 1,000 square metres or more; or
- (e) development carried out on a site having an area of 1 hectare or more".

4 Who will benefit from the service?

This service is currently aimed at applicants and developers who anticipate making a planning application for a major development within Islington. See Section 3 for a definition of major development.

Having a detailed pre-application procedure will help ensure proposals comply with policy, are valid, avoid refusals and minimise delays for applicants. The service will assist you in speeding up the development process and helping to minimise application costs generally and abortive applications in particular. The service will also help the Council to meet local and national targets aimed at providing best value and excellent customer service.

5 The process

The individual steps in the pre-application service are summarised below.

Step 1: You contact us in writing to request a pre-application advice meeting giving details of your proposal.

When you write to us requesting a pre-application meeting, you should – as a minimum - include the following information to help us make an assessment of whether the service is right for you.

- Site location plan
- Brief summary of the proposed development
- Information about existing and proposed uses, floor spaces and occupation
- Drawings/photographs to describe the site or building as it exists
- Photographs of the immediate surroundings
- Drawings to describe the proposal
- A confirmation that you are willing to pay the charge for the meeting if it goes ahead.

Step 2: We will provide written confirmation within 10 working days of receiving your request and confirm that your proposal is major development (as defined in section 3 of this document). We will confirm the name of the case officer allocated to your proposal, let you know if we require additional information, and issue an invoice to enable payment for the service.

Step 3: We will contact you within 10 working days of receiving the fee and any other information we have requested from you to arrange a date for a mutually convenient meeting and – if appropriate – an accompanied site visit.

Please see Appendix 2 for a list of information that you should provide before the first pre-application meeting

Step 4: We will have a meeting with you and all the council officers needed to advise you on your proposal.

Please see Appendix 3 for the issues that will be considered at the first meeting.

Step 5: We will provide detailed written confirmation within 10 working days of the meeting covering the advice and views given by us. This may include advice about what you may need to do to make the proposal acceptable in planning terms, and what you will need to supply in order to submit a valid application. We will advise on whether a section 106 agreement is likely and the process we use to agree it. We will give you advice on the residents, groups and organisations you may need to consult with.

If significant alterations to a scheme are required, a further round of correspondence and meetings may need to take place. Major applications for large scale proposals with highly complex issues may well need a series of meetings before a formal application is submitted.

If you request further discussions and negotiations following the receipt of this written advice, a further fee is likely to be required.

Step 6: Further meetings (if required) in preparation for submission of a formal planning application.

Step 7: You amend or supplement your proposals in light of our advice and submit a formal application. Please see Appendix 4 for our Validation Checklist for major developments.

You should note that for very large scale proposals with highly complex issues, there may need to be a series of meetings before a formal application is submitted. If this is the case we will advise you of the likely additional fees at the first meeting

6 What is the cost?

The standard pre-application advice service for major developments will start at £2350 (inclusive of VAT) for a single meeting with a planning case officer and advice in writing.

For larger scale proposals with highly complex issues, or where significant alterations to a scheme are needed, there may need to be a series of meetings before a formal application is submitted. In this case there will be additional charges, as set out in Appendix 1. The level of service required by you will be discussed and agreed at the first meeting.

Please note that the fee for pre-application advice does not count towards the fee for any subsequent planning application. A separate fee will be required for this, as set out in the Fee Regulations (which apply throughout England and Wales). Nor will any of the pre-application fee be refunded if officer advice is negative and – as a consequence – no planning application is submitted.

7 Disclaimer

Any advice given by Council officers in response to pre-application enquiries does not constitute a formal response or decision of the Council with regards to future planning applications or other formal approaches (e.g. Certificate of alternative appropriate development). We will, however, give you the best advice possible based on the information and proposals that you provide, and with regard to relevant circumstances at the time.

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

We cannot guarantee that any subsequent planning application you make will be approved. However, the pre-application advice that we give will aid the determination process and information could come to light that could alter the position.

Please be advised that delays between obtaining pre-application advice and the formal submission of a related planning application may lead to the pre-application advice becoming outdated, especially if new planning policies/guidance are adopted, new case laws are formed, or the surrounding context changes.

APPENDIX 1

Fees

The standard charge for providing initial pre-application advice on a major development proposal is £2350 (inclusive of VAT). This amount includes the administrative costs involved in receiving and registering your initial letter and receipting the fee, and any amount of time taken by an allocated planning case officer from the investigation stage to the first meeting and the provision of written advice.

If further meetings are required, then these will be charged £1000 (+ VAT) per meeting. Please note that this charge covers all officers that may attend the meeting, including expert officers from other Council Divisions (e.g. Legal, Public Protection, Traffic and Transportation, Policy, Housing).

The number of meetings required will be discussed at the initial meeting and the overall cost may be negotiable.

Payment of fees

The standard charge plus VAT must be paid in full before the first meeting is arranged. Any additional charges will be invoiced within 10 working days from the date of each meeting or, by agreement, at the end of the pre-application process. Invoices must be settled within 21 days.

If a meeting is cancelled by the developer/applicant then any costs incurred by the Council in preparing for the meeting will be charged. A **minimum** charge of 10% will apply in all cases.

Cheques should be made payable to the London Borough of Islington.

APPENDIX 2

Information we need for the pre-application meeting

The following list is not exhaustive but is a useful guide to what you will need to do to ensure that your pre-application meeting provides the advice and guidance you need.

If the information listed below is relevant to your application you must ensure that we receive details 10 working days before the pre-application meeting otherwise the meeting may need to be re-scheduled.

The existing site or building

- A plan showing the existing site area, existing buildings and other features, for example the location of trees.
- The existing lawful use of the site or building and the planning history, for instance any previous applications or appeals.
- Details of the existing floor space broken down by how it is used at the moment.
- Visual materials that will help us understand the existing site or building better (photographs, models etc).

Your proposal

- A full description of your proposals, including a schedule of the floor space broken down to show how it will be used. When appropriate, you should include information concerning both the affordable housing and market housing, including relevant financial information so that an independent viability assessment can be undertaken if necessary. If different types of affordability or tenure are proposed for different units this should be clearly explained. The statement should also include details of any Registered Social Landlords acting as partners in the development. [Note: The requirements for a development to include an element of affordable housing are set out in the Council's adopted supplementary planning document "Affordable Housing"].
- Drawings, sketches, photographs or models of the proposal. These need to include floor plans, elevations, adjacent buildings, access, servicing, parking arrangements, means of escape and the initial architectural approach and materials to be used.
- For telecommunications proposals, a statement and evidence to show how the proposals conform to current national and local guidance.

APPENDIX 3

Issues to be covered at the first pre-application meeting

Islington's planners have unique knowledge of how local and national planning policies could have an impact on your proposal. The more information you give, the more likely it is that we can give comprehensive clear advice.

At the pre-application meeting we will look at the following issues with you.

Land use

- Whether your proposals are in line with our planning policies and, if not, could they be justified?
- Any specific policies or designations in our Unitary Development Plan (UDP) or supplementary planning guidance which affect your site or proposal?
- Whether your proposals take into account the impact on local needs and facilities, for example the impact on transport, education and community use.

Sustainability

- Conformity of proposals with principles of Planning Policy Statement 1 – “Building Sustainable Communities”
- Renewable energy
- BREEAM
- Procurement and sourcing
- Environmental issues (e.g. recycling, energy efficiency, water management, heating)

Design - How your proposal could impact on the built environment

- Urban grain and street patterns
- Built form, scale, and massing
- Building lines
- Building height
- Architectural design
- Materials

Listed buildings, conservation areas, protected views and landmarks

- If the alteration of a listed building is part of your proposal, whether this is justified under local and government policies.
- Details of alterations and how the existing fabric of the building may be kept or removed.
- Impacts on the character and appearance of a surrounding or adjacent conservation area, view or landmark.
- The impact your proposal may have on unlisted buildings within or adjacent to a conservation area
- If demolition of an unlisted building in a conservation area is proposed, whether the tests contained in Planning Policy Guidance note 15 have been satisfied.
- Whether a conservation plan is required and what it should contain.

Archaeology

- Archaeological implications will be considered.

Natural environment

- How your proposal will affect the diversity of the area or the open space.

Residential Policies

- If the proposal triggers a requirement for affordable housing on site or other planning benefits in line with our policies.
- The mix of dwelling sizes and the proportion and design of residential units which will provide affordable housing.
- Details of open/play space provision.
- Density.
- Car free/restraint issues.

Food and Drink Policies (if relevant)

- The type of use (for example a bar, café, restaurant, takeaway).
- Proposed operating details such as opening hours and the number of covers.
- Details of ventilation arrangements.

Amenity

- If there is any residential accommodation or sensitive uses (schools and hospitals for example) near the site.
- The likely impact on nearby residents such as loss of daylight, privacy or noise disturbance.
- Amenity for future residents (room sizes, storage, refuse/recycling provision etc).

Servicing/Access/Parking

- How the development will be serviced
- If off-site servicing can be justified
- If any proposed parking provision accords with our policies
- Facilities for cyclists and pedestrians
- Facilities for people with disabilities, especially around access
- Transport implications of trips to or from the development.

Planning obligations

- Issues that are likely to be subject to a legal agreement and the timescale for providing the agreement for signing.

APPENDIX 4

The link below will take you to the Planning Application Forms and Checklists page. There you will see all the application forms and checklists that are available to download.

For Major applications you will need to complete the following two checklists:

Checklist 1 – General Validation Checklist All Applications

Checklist 2 – Major Applications

<http://pubweb/Environment/Planning/Applications/Applying/942.asp>