

## PLANNING ADVICE NOTE – AN10

### PRE-APPLICATION ADVICE SERVICE

#### Introduction

This Planning Advice Note is intended to explain the pre-application advice service offered free of charge by the Planning Service. It will help you to understand the benefits of seeking such advice, the process involved, and the information required in order to ensure that requests can be properly considered and dealt with efficiently and effectively.

The Planning Service welcomes and encourages the submission of pre-application enquiries and is committed to providing reliable pre-application advice as part of a positive and proactive service.

#### What is pre-application advice:

It is often a good idea to ask the Planning Service for 'informal advice' if you are considering carrying out work to your property. Three areas/questions are normally covered by Pre-application advice and these are: works you are thinking of doing and whether they require planning permission (**Exemption Query**), or if you do know that permission is required, what is the likely assessment of your intended scheme against the relevant Policies of the Island Development Plan (**application advice**), or for larger schemes and certain types of development you may also want to ask whether or not you need an Environmental Impact Assessment (EIA) before you proceed with a planning application (**EIA Screening**).

#### What are the benefits of pre-application advice:

Early engagement with the Planning Service through pre-application advice can provide you with the following benefits:

- Written confirmation as to whether planning permission is required for the proposed works (Exemption Queries);
- Professional advice based on the overall scheme as submitted, to inform the design and preparation of proposals that require a formal submission, including advice on what information to include within an application and the relevant fee required;
- Identifies the need for specialist input at an early stage in the preparation of supporting information that may be required as part of an application (such as transport impact assessments, tree surveys etc.);
- Provides an understanding of the policies that the proposal will be assessed against within the Island Development Plan and in principle whether it is likely to comply with those policies identified;
- Identifies in writing any issues or potential improvements required to schemes from the outset which is likely to result in a more positive outcome to the planning application process; Please note this does not include the re-designing of a scheme.
- Identifies those proposals that are likely to be unacceptable, so saving you the cost of pursuing a formal application;
- Provides advice on how to amend previously refused proposals to make them capable of being reconsidered;
- Early identification as to whether or not you will require an EIA to support your planning application (EIA Screening).

To obtain the full benefit of this service the more information that you can provide relating to your intended proposal will allow Officers to give a more thorough response, however the advice given is based on the overall scheme. Should you want officers to consider certain elements of your proposal specifically then please make

this clear in your pre-application enquiry and advice will be tailored in relation to those elements. That said, we will provide pre-application advice based on the planning circumstances at the time which, of course, has its limitations. For example, the process does not involve the carry out of a site visit, involve public consultation, is unlikely to include advice from statutory consultees and may not have input from those who make the final decision. Therefore, the advice cannot be binding on the final decision on a formal planning application. Advice is given with the best intentions, but situations do change, schemes evolve, issues emerge, and proposals cannot be 'pre-determined' outside the formal application process. Given this, the advice cannot provide a 'level of comfort' as to the successful outcome of a planning application beyond the scope of considering the relevant planning policies and the scheme in the round.

Therefore, please note, information/plans submitted as part of a pre-application enquiry do not form part of a future planning application and all pre-application advice given is entirely without prejudice to the consideration of a formal application under the Land Planning and Development (Guernsey) Law, 2005 (as amended).

### **How is the advice provided:**

Following the submission of your enquiry the Planning Service will assess and determine the most appropriate way to respond. This is to ensure that the Planning Service continues to deliver a high-quality response to all queries received in the most efficient and effective manner.

Regardless of the method of delivery of the advice, the response will cover all relevant Planning Law and Planning Policies and provide you with a professional assessment on your overall scheme, based on the information provided. The Planning Service will respond to a request for pre-application advice in one of the following ways:

#### Telephone Discussion

For straightforward queries the Planning Service may consider that the most appropriate way to respond is through a telephone conversation. In this event a Planning Officer will contact you and discuss the proposal with you. This will enable an expedient and cost-effective response saving time and money for both the customer and the Planning Service.

#### By letter/email:

For pre-application queries that involve a more detailed response the most appropriate way may be by letter or email. In this event the Planning Service will aim to send a written response within 14 days of receipt.

#### Meetings:

Meetings will be reserved for the more complex of cases, or where the query relates to an application that has been refused. However, in both instances the submission of sketch/revised plans should be submitted in the first instance, prior to a meeting being scheduled. In this event the Planning Service will contact you to arrange a convenient time and date for all parties to attend. Meetings are usually arranged within 14 days of receipt of the request and sketch/revised plans. A brief written note of the meeting is prepared by the planning officer and is forwarded by email to the principal party with whom the meeting was held as soon as possible after the meeting (within seven days following the date of the meeting).

You are not obliged to take the advice you are offered – everyone has the right to submit a proposal, to have it assessed and to receive a formal decision. The issues may be such that you will wish to take the advice from your own professional advisers. The meeting notes are an aide memoire for general guidance purposes only and are not intended as a full or definitive record or minute of the meeting. However, in the event that the content of the note is not agreed by an attendee of the meeting, the note will either be amended accordingly or a further note will be made concerning the area of disagreement.

## How do I request pre-application advice:

You or your agent will need to complete the pre-application form that is available on our website at the following link: [www.gov.gg/planning\\_building\\_permissions](http://www.gov.gg/planning_building_permissions) .

Please note if you are using an agent all future correspondence relating to your proposal will be sent to them.

We have provided the form to assist you in providing the **minimum** level of information that we need to enable us to advise you on the proposal. Again to obtain the full benefit of this service the more information that you provide relating to your intended proposal will allow Officers to give a more thorough response. Should you want advice on specific elements of your scheme, this should also be noted within your initial submission. As a minimum however, the following information will be required:

- A completed pre-application enquiry form;
- A site location plan which shows the site clearly outlined (usually 1:1250 scale);
- A block location plan with the location of the development clearly shown (usually 1:500 scale);
- Colour photographs of the site and its surroundings, or estate agent's brochure details (if the site has yet to be purchased, in this instance you must have the owner's authority to submit a pre-application before advice is provided by us (see below));
- Drawings or sketches of the proposal (including measurements of all dimensions in metres, to scale if possible);
- Proposed materials (including any finishes to be applied).

For members of the public, site location and block plans required above are available on request from the Planning Service. We may also request additional information thought necessary to assist in the consideration of the enquiry.

If the legal owner of the site/property is not known then written confirmation must be submitted that all reasonable enquiries have been made, to identify any such owner and obtain consent. Please note the States of Guernsey cannot be held responsible for any legal proceedings arising from any challenges regarding ownership of the indicated site.

**Agents** must submit the form electronically via email to [planning@gov.gg](mailto:planning@gov.gg) All drawings, location plans and supporting information will be required to be attached. Please note Agents **must** also submit one identical hard copy of all information required at this stage.

**If you are not using an agent**, please print a copy of the form and attach it to the supporting documents and send your enquiry to The Planning Service, Sir Charles Frossard House, La Charroterie, St. Peter Port, GY1 1FH.

**Building Regulations:** Planning permission is separate to licenses issued under Building Regulations. If permission is required under the Building Regulations, a separate application complete with full construction details and specification must be made to Building Control either concurrently, or more likely, after planning permission has been granted. Requirements under the Building Regulations are outlined in PN1 "Do I need permission for my development?" available on the website <https://www.gov.gg/needpermission>

## Contact Us

Should you require any further information with regard to the pre-application service provided, then you can contact the Planning Service by email at: [planning@gov.gg](mailto:planning@gov.gg) , by phone on (01481) 226200, or by post at: The Planning Service Sir Charles Frossard House, La Charroterie, St Peter Port, Guernsey, GY1 1FH. Our offices are open Monday to Friday from 09:00 to 16:00.

**Data Protection:** When processing your personal data, the Development & Planning Authority complies with the Data Protection (Bailiwick of Guernsey), Law 2017. If you would like to see further information about how we process your personal data, please visit [www.gov.gg/dp](http://www.gov.gg/dp).