# Minerals and Waste Pre-application Planning Advice

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1. Introduction

Surrey County Council as the Minerals and Waste Planning Authority welcome and encourages pre-application advice discussions before a planning application is submitted.

On 30 July 2014 the Planning and Regulatory Committee resolved to introduce a charging scheme for pre-application discussions relating to minerals and waste (county matter) development proposals. Separate arrangements are in place to deal with applications relating to county council own development such as schools, libraries and fire stations.

The charges will be introduced for all relevant pre-application proposals received on or after the 22 September 2014.

Charging for pre-application advice will enable us to sustain and improve current levels of service. The fees for pre-application advice will be in addition to the fees payable for the submission of planning applications and the chargeable monitoring of mineral and landfill sites.

This document sets out the benefits of seeking planning advice on application proposals prior to the submission of an application and the proposed arrangements for providing pre-application planning advice. The scheme sets out three broad levels of pre-application engagement.
2. Why seek advice?

There are considerable benefits in seeking advice before making an application. These include:

- an indication of whether a proposal would be unacceptable, saving you the cost of pursuing a formal application;
- minimising the need to satisfy conditions before developments already granted planning permission may commence;
- ensuring that your application is complete, comprehensive and to a satisfactory standard therefore avoiding rejection at the validation stage or early refusal because of inadequate or insufficient information;
- identification of site specific information on what is needed for an application to be considered more favourably;
- informing you of how national and local policies and guidance will be applied to your development;
- identifying early on the need for specialist input;
- helping you to conduct wider engagement with stakeholders where appropriate which can deliver better outcomes for all parties; and
- the early identification of any Section 106 requirements/agreements.
3. Pre-application procedure and charging levels

We offer several levels of advice, charged at various rates, to reflect the different types of proposals.

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<th>CATEGORY</th>
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| LEVEL 1  | • The Planning Process  
• Surrey County Council's Local Validation List  
• Planning application forms and guidance  
• Minerals and Waste Policies and Plans  
• Surrey District and Borough Local Development Frameworks  
• Planning Register  
• Officer contact – Initial 30 minutes verbal advice | FREE |
| LEVEL 2  | • Initial discussions with the planning authority to progress a development proposal  
Requires basic information to be provided in advance by developer | |
| MAJOR APPLICATIONS | Site visit meeting | £1335 (+VAT) |
| | Officer meeting | £1065 (+VAT) |
| | Written advice | £675 (+VAT) |
| MINOR APPLICATIONS | Site visit meeting | £660 (+VAT) |
| | Officer meeting | £390 (+VAT) |
| | Written advice | £450 (+VAT) |
| LEVEL 3  | • Where an initial meeting has taken place, to further scope the proposal and to provide relevant detailed advice on the content of a planning application  
• To discuss consultee requirements including outcome of EIA screening and scoping opinions.  
• To provide and facilitate feedback where draft documents have been submitted.  
Requirements to be specified and agreed with planning authority in advance of meeting, including payment of appropriate deposit. | |
| Further meetings | Deposit of £250 required.  
Invoiced at hourly rate of £200 (+VAT) per hour for planning officers.  
Deposit of £500 per topic area  
Attendance by specialists charged at cost (+VAT).  
Invoiced at hourly rate of £200 (+VAT) per hour for planning officers. | |
| Further meetings including specialists | Written advice | £675 (+VAT) |
Major applications under the pre-application charging scheme comprise proposals involving:

- schedule 1 and 2 Environmental Impact Assessment (EIA) development;
- winning and working of minerals;
- plant and machinery for the processing, treatment or production of minerals or any mineral derived product or article on site in excess of 0.5ha;
- landfill;
- landraising;
- restoration of mineral workings;
- waste recovery, treatment, storage, processing, sorting and transfer on an open site;
- buildings or building for use in excess of 1000m²;
- transport of aggregate by rail or water;
- disposal of mineral waste;
- application under Section 73 of the 1990 Act involving time extension to complete development; and
- application under Section 73 of the 1990 Act for minor material amendment where the original permission was for development involving any of the above.

Minor applications under the pre application charging scheme comprise proposals involving:

- plant machinery for the processing, treatment or production of minerals or any mineral derived product or article on a site less than 0.5ha;
- searches and tests of mineral deposits;
- building or buildings less than 1000m²;
- change of use of buildings or land;
- any development where land is or forms part of a site formerly used for the winning and working of minerals;
- application under Section 73 of the 1990 Act not involving time extension to complete development;
- application under Section 73 of the 1990 Act for minor material amendment where original permission was for development involving any of the above; and
- details pursuant (Article 27¹) submissions.

4. Exemptions

The charging scheme will only apply to pre-application discussions commenced on or after 22 September 2014.

This charging scheme does not apply to discussions in connection with applications under Section 96A of the 1990 Act for non material amendments, permitted development enquiries, advice given to local residents affected by development, or enforcement advice for unauthorised development. However, where advice from the enforcement team in connection with unauthorised development results in the need for a planning application, the subsequent discussions with regard to the application will be subject to charging.

No chargeable advice will be given over the telephone.
5. How do I obtain pre-application advice?

We have information about the planning process on the planning pages of our website including application forms and guidance for making a planning application.

Prospective applicants seeking advice that is chargeable are required to complete a pre-application request form and submit it with the appropriate fee. The request form is available on our ‘Pre-application discussion for planning applications’ web pages or from the Surrey County Council Planning Development Team (Room 385) at County Hall, Penrhyn Road, Kingston upon Thames, KT1 2DN.

This form sets out the information that is required from prospective applicants to enable the pre-application advice service to be provided. It is recognised that in some cases not all the information will be available, but the more information that you provided at this stage will help us deliver a more tailored and site specific response.

As a minimum with the request form you should provide:

- Site location plan (scale 1:1250 or 1:2500) with site boundary indicated
- Proposed site layout drawing (including access)
- Photographs and/or drawings showing site, buildings and trees as existing
- Waste proposals: facility throughput, waste types, waste processes, access, HGV movements
- Mineral proposals: extraction quantities, timescale, processing activities, access, HGV movements

In addition to this the following information would be useful:

- Draft Planning Statement
- Draft Design and Access Statement (if required for the type of application)
- Details of the current use of land and buildings
- Sketch drawings showing height/scale of development and elevational treatment
- Information relating to any necessary Environmental Statement
6. Payment of pre-application fees

All requests for chargeable information should be accompanied by the relevant fee for it to be considered a valid request. Please note that we will not be able to give chargeable advice without the fee.

At present we can only accept payment in cheque format. Cheques should be made payable to Surrey County Council and sent to:

Planning Development Team
Room 385
County Hall
Penrhyn Road
Kingston upon Thames
KT1 2DN

If you require further information on request forms or which level of service would suit your application, please contact the Technical Support Team on 020 8541 9897 or email us at mwcd@surreycc.gov.uk.
7. What the Council will do

Within 5 working days of receipt of the pre-application request form, required documentation and relevant fee you will be sent a formal acknowledgement to confirm that:

- your request for pre-application advice has been received;
- that the fee is correct, or where the fee is incorrect what the amount outstanding to be paid is; and
- any additional information that may be required.

Within 21 days of this acknowledgement for a valid request, a case officer will be allocated and we will seek to have confirmed the arrangements for a meeting (site or office) and/or providing a written response.

The timing of the meeting will depend upon the complexity of the proposal, the amount of preparation work needed prior to a meeting and the availability of any specialist advice that may be needed. Where no meeting is requested, the case officer will confirm the timescale for issuing their written advice.

Where written advice is required following a meeting, the timing of this will be agreed at the end of the meeting.

Please note no work will be undertaken by officers unless the correct fee for the request has been paid.
8. What will our advice contain?

The pre application advice given at the meeting or in written response may not necessarily be exhaustive. The advice given is intended to highlight the main issues raised by a proposed development that need to be assessed and considered as part of the planning application process. The advice will be based on the information available about the proposal and discussions that have taken place.

Whilst each proposal will raise different issues our advice will cover, as appropriate:

- the key planning considerations which need to be taken into account in preparing the planning application including the application form and supporting information required to meet national and local validation requirements;

- informal and without prejudice officer advice on the planning merits of the proposal including an indication if the proposal will be completely unacceptable or not;

- details of the relevant planning history of the site;

- a summary of planning policies (national and development plan) or guidance relevant to the proposal;

- details of any relevant statutory designations for the site and surrounding area and planning constraints to development;

- the need for any specialist input;

- advice about the council’s development management process including consultation and publicity processes, estimated timescale for determination of the submitted application and decision making process;

- where appropriate suggest pre-submission consultation with identified consultees;

- where appropriate suggest pre-submission community engagement; and

- any other information deemed relevant.
9. Important notes

I) In the interests of timely decision making, the County Council will proceed to determine a valid planning application on the basis of the submitted documentation and without further discussion where an applicant has not sought pre-application advice, or where pre-application has been given but that advice not followed in the substance of the submission.

II) The County Council is obliged to respond to requests from developers for screening and scoping opinions under the Town and County Planning (Environmental Impact Assessment) (EIA) Regulations 2017 without charge. The pre-application charging arrangements would operate in addition to the regulatory requirement for EIA screening and scoping. Where a screening or scoping opinion is sought this is not a substitute for engaging in pre-application advice.

III) Planning officers can only give a professional opinion on the merits of a pre-application proposal. Any views or opinions expressed in pre-application advice are made at officer level in good faith, and to the best of ability, without prejudice to the formal consideration of any planning application, which will be the subject of consultation and publicised, where new material planning considerations may be raised. Pre-application advice does not constitute a formal response or decision of the county council and can offer no guarantees.

IV) Any advice given about the planning history of the site, planning constraints or statutory designations does not constitute a formal response under the provisions of the Local Land Charges Act 1975.

V) Prior to submitting a planning application on which pre-application advice has been given you should always check that the advice is still current. There may have been a material change in national or local policy or information requirements if there has been a delay in submitting your application after the pre-application advice was given.

VI) Freedom of Information Act 2000 (FOI Act 2000) and Environmental Information Regulations 2004 (EIR 2004) - details of pre-application advice will not be available for public inspection. However, the County Council may be required to supply information relating to pre-application discussions to any party making an FOI or EIR information request. You must therefore, when sending a pre-application request, which you believe to be confidential, supply a covering letter or respond on request form setting out the reasons why, and for what period, any information you provide relating to the enquiry, needs to remain confidential.

Where this has been provided, in handling any requests for information held by the County Council we may accept the justification for confidentiality, and will make every effort, in so far as the FOI Act 2000 and EIR 2004 allow, to ensure that the information you provide is “in accessible” in the sense of not being in the public domain, or a matter of public knowledge. However, the passage of time may mean that the information is no longer sufficiently sensitive to be considered confidential.

VII) The pre-application service and charging scheme will be subject to periodic review. Feedback on the scheme is welcome in order to inform service improvement.
10. Contact us

If you have any queries about this guidance or filling in the pre-application advice request form please contact our Technical Support Team on 020 8541 9897 or at mwcd@surreycc.gov.uk.

Pre-application requests forms can be sent electronically to mwcd@surreycc.gov.uk. Please note if you are submitting the pre-application request form and supporting documentation via email there is a 5megabyte size limit per document. When submitting the form by email you will still need to send the relevant fee by post (see 6.Payment of pre-application fees).

Alternatively you can post the pre-application request form, supporting documentation and relevant fee, accepted in cheque format only, to:

Planning Development Team
Room 385
County Hall
Penrhyn Road
Kingston upon Thames
KT1 2DN