

PRE-APPLICATION ADVICE ON POTENTIAL DEVELOPMENT PROPOSALS

BASIC AND SUPPLEMENTARY OPTIONS

Background

The Cranborne Chase and West Wiltshire Downs Area of Outstanding Natural Beauty has been established under the 1949 National Parks and Access to the Countryside Act to conserve and enhance the outstanding natural beauty of this nationally important area which straddles five councils. It is clear from the Act, subsequent government sponsored reports, and the Countryside and Rights of Way Act 2000 that natural beauty includes wildlife, scientific, and cultural heritage. It is also recognised that in relation to their landscape characteristics and quality, National Parks and Areas of Outstanding Natural Beauty are equally important aspects of the nation's heritage assets and environmental capital. This [CCNL Management Plan](#) is a statutory document that is approved by the Secretary of State and is adopted by the constituent councils. It sets out the Local Authorities' Objectives and Policies for this nationally designated area. The national Planning Practice Guidance [Natural Environment paragraph 040] confirms that the CCNL and its Management Plan are material considerations in planning.

Current Situation

Currently most pre-application proposals are provided by the CCNL to the Local Planning Authority when they have received a formal request from a potential developer. When approached by a potential developer directly for a pre-application site visit or meeting, the CCNL's Landscape and Planning Advisor recommends, in the interests of good use of time and to ensure the parties hear what each other says, that a representative of the planning authority is present. Quite often proposals are quite fluid, at their early stages of formulation, and do not have an explicit proposal to respond to formally.

Options

The CCNL Partnership is committed to providing pre-application advice. That advice can help refine proposals or avoid expenditure on schemes that are unlikely to comply with objectives and policies. However, with limited resources that advice cannot be open ended, and those that would like more than the currently free single site visit, letter, or meeting will have to pay for the extra commitment. This is seen as being fair and continuing to provide a free basic service whilst also making provision for those that wish to have more detailed or extensive advice or information.

Supplementary Pre-application Consultation Process

1.0 Why?

1.1 The need for a more structured pre-application consultation process has arisen in response to increased requests to the CCNL Unit to review and provide technical advice on landscape issues and impacts of planning proposals of differing scales and types.

1.2 The formalisation of the process will ensure that a fair, free and basic service continues whilst the costs in officer time can be recouped for additional advice. It will mean that a formal and consistent response mechanism is in place.

1.3 This process will provide greater clarity for developers in that it enables the advice of the CCNL Unit to be given prior to a formal application (or even a pre-application) to the Local

Planning Authority. That can avoid issues being identified at the planning application stage when there are greater time constraints and costs involved in resolving those issues, avoiding adverse impacts, providing mitigation or negotiating compensation for adverse impacts that are not capable of being mitigated.

1.4 The process also ensures that there is a consistent approach to applying the policies of the CCNL. In particular, advising on development proposals to ensure landscape assessment, site selection, design, layout and landscaping are all in keeping with the policies of the CCNL Partnership's Management Plan.

1.5 Following a stated process when receiving direct queries from developers mirrors the approach that is taken when receiving requests from the LPAs within the Partnership as part of their formal pre-application process.

2.0 What is required?

2.1 When seeking advice beyond the basic, the CCNL will require sufficient information to ensure that officers can scope the level of work required to provide an informed response. Whether this can be desk based or require additional site visits and meetings to clarify certain aspects of a proposed scheme will be discussed and clarified.

2.2 The following is likely to be requested in order for the formal process to be undertaken;

- A location plan of the site, including an outline denoting its extent
- A statement/ letter confirming the proposed development including a full description of all works (proposed buildings, roads, uses and any associated infrastructure such as SUDS, hard and soft landscaping)
- Any initial elevations, layouts and street scenes
- Any visual analysis work (photographs, LVIA or desk studies on landscape character)
- Confirmation of proposed timeline for submission of an application to the LPA and confirmation of any pre-application advice that has been received from the LPA.

3.0 What action is to be undertaken by CCNL Unit?

3.1 The pre-application enquiry will be logged onto the pre-application log and assigned to the Landscape and Planning Advisor, or other officer if appropriate.

3.2 The officer will then review the level of information submitted and acknowledge receipt. If there is insufficient information to begin an initial assessment the officer shall request further information from the enquirer.

3.3 The initial assessment will confirm what level of work will be required to provide a response and in what timeframe that response is likely to be provided. This will then be confirmed to the developer along with the relevant fee to be charged (see Fee Schedule).

3.4 Once the written agreement to the fee and level of response has been received from the enquirer the officer will assess the pre-application consultation submission and provide a response.*

* Note: The officer will also be responsible for arranging meetings, site visits and establishing a timeline for response. All responses shall be via the standard letter template so as to ensure consistency between all officers in their assessment and matters to be covered in their responses.

4.0 Pre-application Assessment considerations

4.1 As with formal planning application consultations officers will need to consider the type of application in terms of its scale (major or minor) and its likely outputs.

4.2 The CCNL would normally consider a range of site and landscape specific issues in the assessment of schemes being developed through formal pre-applications. These include, but are not limited to the following;

- a. What landscape character assessment has helped to inform siting, scale, design, layout and landscaping?
- b. Has the site been tested on a sequential basis to establish the best location for the proposal?
- c. What is the pattern of development in the locality and how does this influence or is influenced by the landscape?
- d. What local landscape historical features help define the landscape (enclosure, windswept sculpted tree forms, rough pasture, ridge top views, secluded valleys, historic patterns of settlement, lack of visible signs of modern infrastructure)?
- e. Is the proposed development of a scale that is in keeping with the pattern of settlement or landscape constraints that it would be situated within or adjacent to?
- f. Are there aspects of the development that could generate significant enhancements to the landscape?
- g. From what public viewpoints is the site visible and how would these be affected?
- h. Are there wider views of the landscape that form an important aspect of how it is perceived?
- i. Is the topography of the site capable of enabling mitigating works such as digging in and landscaping/ boundary treatment? Would this in itself be in keeping with the established landform pattern for the wider area?
- j. Has an LVIA process identified the above, and if none has been undertaken whether or not one should be provided?
- k. What design and layout would minimise impact and help to conserve features of the landscape (e.g. consider the use of softer landscaping for parking and turning areas, responding to local vernacular and scale of buildings, preserve historic hedges and boundaries, seek meaningful mitigation).

5.0 Concluding the process

5.1 At the end of the assessment the CCNL will provide its opinion on the proposal in an agreed manner. This may be simply a meeting, the review of a meeting note, or via a formal letter (this includes email where appropriate).

5.2 Where a written response is agreed as part of the package the letter shall itemise what information was submitted and reviewed.

5.3 Confirmation of the impacts and any avoidance or mitigation will be clearly identified within the standard response template and a conclusion of the scheme's overall acceptability will be given.

5.4 Officers are to ensure that the enquirer is aware that the advice given is officer opinion and not necessarily representative of all members of the CCNL Partnership. The following standard caveat shall be added to all formal responses for clarity;

Standard caveat for use when providing written advice:

"The advice given in this pre-application response is provided on the basis of the information submitted and on the basis of existing known policy. The advice is officer opinion only and is provided without prejudice to any future consultation response made by the CCNL Partnership on planning applications for this proposed development or others differing in nature on this site."

CCNL Unit Supplementary Pre-application Consultation Process

Fee Schedule

A The hourly rate, which includes team support for Chartered level (or equivalent) staff, £65.00

B Expenses:

Travel: Car at HMRC rate of 45p per mile)
Public transport and parking @ cost
Printing / materials / postage @ cost + 2.5%
Travelling time: @ 50% of the hourly charge

C The agreed time committed to the proposal / tasks associated with the proposal.

Fee = agreed time hourly rate (A) x agreed time (C) plus expenses (B).

VAT is an additional charge

Payment should be made payable to Wiltshire Council (CCNL)

INFORMATION LEAFLET

Why should I use the supplementary pre-application service? What are the benefits?

The service enables those with development ideas to gain more than basic advice from the CCNL. The advice will largely focus on potential developments in the context of their impacts upon the CCNL designation, landscape matters, and Management Plan objectives and policies.

This can help in refining schemes to minimise impacts upon the landscape and also provide advice on how a scheme can enhance it. In addition, the CCNL Team's knowledge of the area can help make developers aware of matters at a local level that may need further investigation such as flooding, archaeology, wildlife, public access, listed buildings, other designations, etc

This can then help you to determine what other matters might need to be investigated with other agencies or professionals and the LPA through their formal pre-application process before submitting a planning application.

Is there a charge?

There is a fee for this service as set out within the more detailed pre-application guidance.

The fee is to cover the time and input from the CCNL on pre-application enquiries which can require a series of meetings, correspondence, review and site visits.

Why should I make a pre-application enquiry to the CCNL?

Whilst LPAs now offer a formal pre-application process this will focus on a potential scheme's compliance with the relevant planning policies and material planning issues specific to the development proposed.

For all developments within designated landscapes, such as the CCNL, the LPA has to consider applications in line with current planning policy and guidance. The National Planning Policy Framework (NPPF) states that "Great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty". (Para. 115, NPPF)

The Core Strategies / Local Plans of this CCNL's constituent LPAs contain policies, albeit with slightly different wording, that require applications for development in, or affecting, the CCNL to demonstrate how they have taken account of this CCNL's adopted Management Plan.

In addition, LPAs have an obligation under section 85 of The Countryside and Rights of Way (CROW) Act 2000 which places a duty on all relevant authorities to have regard to the purpose of conserving and enhancing natural beauty when discharging any function affecting land within an Area of Outstanding Natural Beauty.

Landscape matters and the CCNL Management Plan are topics on which the CCNL team are well placed to advise. The CCNL pre-application service is specific in identifying impacts upon the designated landscape or its setting.

The benefit of the pre-application service is to identify those matters before any formal application is made and hence possibly avoid unnecessary costs being incurred to revise a scheme when it has been submitted as a formal planning application.

In many instances where a planning application is within or adjacent to the CCNL the CCNL Partnership is asked to comment in the capacity of a consultee. The Partnership will, therefore, provide formal comments on planning applications to the LPA.

What do I get?

The process is flexible to meet the requirements of different forms and scales of development and applicant's experience and knowledge. At the end of the process the CCNL provides you with a response, in an agreed form, on the development proposal. This can then be submitted with your planning application to the LPA as background information and indicates what the views of the CCNL are in respect of the pre-application scheme.

The full details of the process are outlined in more detail in the pre-application advice options document.