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| Planning Advisory Service |
| PAS Development Management Challenge Toolkit |
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| Pre applications |



# Introduction

Pre applications forms one of 15 sections of the PAS Development Management Challenge Toolkit. Please refer to the complete document for information on the other 14 sections and further background to the toolkit.

Unlike planning applications there is no set process for considering pre applications and it is not mandatory for Councils to offer a pre application service. However it is good practice to do so as part of the service the Council gives to the applicant and also to help de-risk and speed up the consent process. In the same way most Councils charge for pre application advice but some consider that this is not appropriate and it can be resourced through existing Council income. There is no definitive right way to provide advice prior to a formal planning application but all Councils must be sure that they are delivering a service that it right for the Council and the customers.

Please consider the statements below that attempt to define what an excellent and poor Planning Authority looks like and then consider some tips to improve performance. The purpose of defining poor and excellent is meant to be controversial and to stimulate debate within a Council. The tips will work for some Councils and not for others because every Council is different and therefore has different priorities for improvement. The tips are also aimed at getting Planning Authorities to think about solutions and to work through challenges in bite size ways rather than being overwhelmed by the problems it faces.

# How to use it

For each part discuss where you feel your Council sits on a scale from 1 (poor) to 5 (excellent). If you disagree with one another (which you are likely to do) discuss why you have different views as perception is a really important factor in improving how things are done. Ultimately the final score is not as important as what you are going to do about it. However it is really important to write down why you have either agreed on a score or why you can’t decide on a score. This will help you to understand where you are as a service on the journey between poor and excellent and if you don’t write it down you will have no record of why you came to those conclusions.

Next look at the ‘top tips’ and actions you want to take from the session. Which tips are you going to take on board and which are you going to dismiss? – it is ok to say a tip is not for you as long as you know why. Then if you decide you want to take forward a tip decide how you are going to implement it. Some you simply need to do and others may involve outside support such as from PAS. Also consider what other actions have come out of the discussion. Encourage all staff taking part in the session to generate other ideas and actions to help you develop an action plan.

Finally decide what score you would like to be. It may seem obvious that you always will want to be a 5 (excellent) but this is not always the case as it depends on where you want to focus your priorities as a service. For example how important is monitoring performance to your service? All Planning Authorities will want to monitor speed and quality of decision making as these are the minimum benchmarks set by Government but you will then need to balance the time spent in collecting information about all areas of the Development Management process against the staff resources you have to deliver an excellent service. Only you will know whether you want to reach a 5 or whether you may be happy to be a 3 or 4. However again it is really important to write down why you have settled on a particular score.

Following pilot work on the toolkit each section usually takes about an hour to an hour and a half to complete. However the time you spend on each section very much depends on how much discussion and disagreement takes place – it will sometimes be shorter and sometimes longer. Also some sections are longer than others so there will inevitably be a difference in time spent on each.

When you have completed the sections that you feel are important to your service you should be in an excellent position to prepare your own action plan of improvement in the format that is appropriate for your organisation. However it is also really important to use the toolkit to reflect back on the things you are doing well and therefore do not need to change. Do not simply dwell on the negatives but celebrate success and promote best practice within your service. It is really important when Planning Departments are struggling with resourcing and workload presssures to celebrate with staff good practice and a job well done.

# How to involve staff in the discussion

It is important that all staff involved in the pre application process are involved in the discussion, including managers, case officers and technical support staff so that the process can be understood from start to finish.

# Facilitator’s tips

* Ask yourself challenge questions such as: Do we agree with excellent? Do we agree with poor? Are the tips helpful? What do we need to do if anything to change?
* Make sure you have someone to write down your conclusions and check what has been written before moving on to the next session. It is really important to ensure everyone’s thoughts are represented accurately
* The scores are there to help you conclude the effectiveness of your Development Management service but do not spend too long debating the scores, they are only there to give you guidance
* As always it is about getting the right people in the room and making them comfortable to contribute. Some staff may feel that their contribution is not as important as others. Make sure it is inclusive and everyone’s views are given equal weight
* Some staff may feel uncomfortable when some topics are discussed. Ultimately you need to decide whether all staff should be involved in the whole session, but the toolkit works best when staff are able to express their views openly without fear of repercusssions.
* This process can work really well with people from different councils so that services can learn from each other and suggest ways of working together in future.
* Many issues that people identify can be tackled at a number of different levels. Encourage people to think of what they could just do on Monday, as well as the bigger trickier things that need buy-in.
* Always agree a follow up action plan that will result from the discussions, otherwise the ideas, enthusiasm and momentum will be lost.

# For more information & Help

If you would like more information about any aspect of the Development Managament Challenge Toolkit or would like to take part in or organise a facilitated improvement session please contact Planning Advisory Service**pas@local.gov.uk****.**

To help you progress your action plan there is a range of support available on the PAS website along with links to other helpful sources of information. Please visit the website at <https://www.local.gov.uk/pas>

| **A poor Development Management Service (score 1)** | **An excellent Development Management Service (score 5)** | **Top tips** |
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| Pre application is not promoted by the Development Management service because it does not have the time or resources to provide a pre application service. However the decision on giving advice has not been made on sound business reasons and if an applicant wants pre application advice a manager may agree to meet the applicant on an informal basis but this is not minuted or given any formal recognition. Therefore the process is inconsistent depending on the officer contacted by the applicant. | There is a clear, well publicised pre application service. The information sets out a clear commitment of the service that an applicant can expect with clear performance standards. It does not over promise and caveats the information by reminding the applicant that the pre application advice does not guarantee an outcome at planning application stage. | 1. Set out the pre application service offered in the form of a webpage and guidance booklet
2. Regularly discuss with agents the service they prefer to gain the most from pre applications
3. Regularly discuss the pre application process at officer meetings to ensure it meets the expectations of both what the Council and applicants
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| **SCORE: (out of 5)** **Why this score?****What score would you like? (out of 5)** **Why this score?** |
| There is a basic fee schedule that covers the key decision types – Major, Minor and Other. It has not been reviewed for a number of years and does not represent the officer time spent on a pre application. Therefore pre applications are discouraged because they are a drain on staff resources. | There is a clear charging schedule for pre applications that covers all the types of services that the Council is willing to offer. This ranges from simple householder advice to advice on large scale strategic developments. There is a menu of services that include a scoping view up to a comprehensive service of all application requirements. Various hybrid options are available e.g. advice on viability, a focus on S106 requirements, advice on a particular condition etc. The fee schedule is reviewed at least annually based on customer feedback, inflation and best practice elsewhere | 1. Ask applicants what services they would benefit from
2. Undertake a time recording exercise to establish the actual cost of particular pre applications and set fees accordingly
3. Seek customer feedback on value for money
4. Benchmark with similar Planning Authorities to identify appropriate costs
5. Review fees at least annually using an inflationary measure (e.g. RPI) as a benchmark for price rises
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| **SCORE: (out of 5)** **Why this score?****What score would you like? (out of 5)** **Why this score?** |
| There is no procedure in place for agreeing Planning Performance Agreement (PPAs) and are avoided wherever possible. Sometimes PPAs are agreed at the insistence of an applicant. In such instances the applicant writes the PPA and the Council signs it with little comment. However very often there is a dispute between the Council and the applicant. Deadlines set in the PPA are consistently missed and the applicant does not feel they get value for money. | PPAs are encouraged for some developments where it is beneficial for both the Council and the applicant and a template has been established to help draft PPAs. When a PPA is drafted all consultees (internal and external) sign up to the timescales and the Council ensures that there are sufficient resources to meet the timeframes. The Council is selective on agreeing PPAs to those developments where it is appropriate to provide an additional level of service to agree a positive outcome. | 1. Establish a template for PPAs based on good practice, but ensure that there is sufficient flexibility for each PPA to be a bespoke document based on what the Council and applicant agree
2. Be realistic about timescales and resource requirements. Ensure it covers the actual costs and employ additional staff if necessary to resource the PPA
3. Ensure there is a senior manager referral point in case there is an issue during the lifetime of the PPA
4. Do not overcommit with PPAs. Only have a PPA when it is beneficial to both applicant and Council to put extra level of resources to gain a positive outcome
5. Do not forget to get the commitment of internal and external consultees before signing a PPA
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| **SCORE: (out of 5)** **Why this score?****What score would you like? (out of 5)** **Why this score?** |
| There is an ongoing tension between officers, councillors, parish councils, neighbourhood forums and the public over public awareness of pre applications. There is a concern that officers are making decisions behind closed doors but also there has been tension with applicants because information has been put in the public domain when there was an expectation that it would remain confidential. The Council is regularly faced with Freedom of Information requests to disclose pre application information. | There is a clear policy of confidentiality versus public interest. Applicants are clear at the beginning of the process when and if their pre application will be made known to the wider public and there is an agreement with the Council over consulting interested parties, councillors, forums and the general public. This has been agreed in discussion with relevant parties so there is not suspicion from the public that decisions are being made behind closed doors. | 1. Have a clearly worded statement at the pre application submission stage explaining the Council’s policy on disclosing pre application information
2. Clarify with an applicant upfront if information should be withheld under Freedom of Information quoting specific sections of the legislation
3. Include pre application processes as part of councillor training
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| **SCORE: (out of 5)** **Why this score?****What score would you like? (out of 5)** **Why this score?** |
| Pre application advice is normally carried out in an ad hoc way based on how much time an officer has to carry out the pre application with a series of emails and meeting notes rather than a summary report. Generally case officers prioritise planning applications because they are more closely monitored and pre applications either get forgotten or dwindle to a close and the applicant takes whatever information they have collected to draw their own conclusions about the final form of any planning application. | The expectations on the output from pre applications is clear and is agreed upfront with the applicant. There is a standard format for the officer to present the information with the appropriate waiver regarding relying on the information at planning application stage. Pre applications are given equal priority to planning applications because they are seen as part of the same process of delivering the right development in the right places. If the pre application is supported then at the end of the discussions officers will clarify with the applicant the validation requirements and whether the information provided is sufficient.  | 1. Prepare a summary report template for writing up pre applications and share this with the applicant at the start of the process so that it can be modified as necessary to meet the requirements of the Council and applicant
2. Always clarify with the applicant when the pre application has been completed and ask for feedback from the applicant for any future improvements
3. Ensure the conclusion of a pre application is properly recorded and made available for the case officer at the planning application stage and make it clear if the pre application has not included advice that the Council thinks would be helpful to the applicant
4. Always try and ensure the same case officer deals with both the pre application and planning application
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| **SCORE: (out of 5)** **Why this score?****What score would you like? (out of 5)** **Why this score?** |
| **Actions to follow up and tips you will you be considering?****Which tips are helpful?****Actions to take forward** |