

# MAJOR APPLICATIONS PROTOCOL LEAFLET

## WHAT IS A MAJOR APPLICATION?

These are applications to this Council where:

- the number of dwelling houses to be provided is 10 or more; or a site is 0.5 hectares or more
- a building or buildings for other types of development would create 1,000 square metres or more; or where the site is one hectare or more in area

## Why are speed and efficiency needed?

Part of the Council's performance in planning is measured by the Government in the percentage of major applications determined within 13 weeks (16 weeks for Environmental Assessments).

This leaflet summarises how this Council will deal with applications for major developments in order to meet those targets.

The Council will promote a two-stage process for major planning applications:-

1. a full pre-application submission.
2. the formal submission of the planning application.

## What the Council can do for you: Pre-application discussions

There is not sufficient time within the 13 week period to resolve problems in a planning application. Applicants are therefore encouraged to negotiate with case officers in pre-application discussions.

In order to achieve better consultations:

- Developers will be encouraged to make and complete a full pre-applications submission.

- Case officers will consult officers from the relevant statutory consultees or, for significant major applications, set up a project team.
- Officers will identify the issues that need to be addressed, suggest how they can be resolved and identify S106 Heads of terms.
- Officers will provide a written report setting out the main issues and the likely officer recommendation for the scheme.
- Officers will identify the necessary forms, plans and supporting documentation required to be included with the formal application.

Applications which conflict with the pre-application advice, or where no pre-application advice has been sought, will be determined on the basis of the submitted plans only.

The local planning authority will not normally engage in lengthy individual pre-application discussions with every potential developer while a site is being marketed. However, some general advice may be provided on request.

The planning case officers will set up a project team to manage significant major applications in the planning process.

## What you can do to help your Planning Application.

To ensure that the application can be validated, registered and determined as quickly as possible:

- Make sure the documentation is complete with all the necessary forms, plans and supporting information to an acceptable standard.
- Without this, the application will be returned with a covering letter identifying the deficiencies.

- Failure to provide the necessary information to support a planning application will result in a delay in registering the submission or a refusal.
- There will be only limited opportunity to make minor amendments to a planning application once it has been submitted.
- The case officers will endeavour to process major applications within the target dates.
- Significant key dates, including a target committee date, will be identified and reviewed during the process. The applicant will be advised.
- The case officer will prepare a case report at the earliest opportunity. The report will weigh up the issues, draw conclusions and make a recommendation.

Where appropriate, the formal decision notice will be dispatched within 24 hours of the decision.

### **Will a planning agreement be needed?**

Many planning permissions for major developments will involve off site works, additional planning gain or some financial contributions by the developer. These are often referred to as S106 Agreements.

These types of contributions are often negotiated after the resolution has been made to grant planning permission. In order to speed up this process the Council will:

- make constructive use of negative 'Grampian' conditions in place of legal agreements as appropriate.
- normally restrict the use of S106 Agreements to those cases where it is necessary, is required for a financial contribution and/or transfer of resources or it cannot be achieved by a Grampian condition.
- expect the developer to include detailed draft Heads of Terms and, wherever possible, a draft clauses for legal agreements with a formal planning application so that the signed legal agreement can be waiting for planning permission to be granted and issued concurrently.
- produce a standard format for planning agreements by subject.

The local planning authority will, if appropriate, refuse planning permission for major development applications which do not have signed S106 Agreement by week 12.

A fuller version of this guidance is available on the Council's website [www.westwiltshire.gov.uk](http://www.westwiltshire.gov.uk) or in the Council offices at Bradley Road, Trowbridge

#### **Please remember**

- 1. Discuss your proposal with us before submitting an application.**
- 2. Make sure all the relevant documentation is submitted with the application.**
- 3. Include a draft Heads of Terms for a Planning Agreement with your application.**
- 4. If a s106 is not signed by week 12 the application may be refused.**
- 5. The application will be determined on the basis of the submitted information only, unless there are special circumstances.**

#### **The Council will**

- 1. Give clear written co-ordinated advice in pre-applications.**
- 2. Only consider applications on the basis of the information submitted at the outset.**
- 3. Give a decision within 13 weeks wherever possible.**

#### **To discuss your proposal further please contact:**

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