

Pre-Application Advice - terms and conditions

Please note

Any advice given by Council officers for pre-application enquiries does not indicate a formal decision by the Council as local planning authority. Any views or opinions expressed are given in good faith, and to the best of ability, without prejudice to the formal consideration of any planning application following statutory public consultation, the issues raised and evaluation of all available information.

You should therefore be aware that officers cannot give guarantees about the final formal decision that will be made on your planning or related applications. However, the advice note issued will be considered by the Council as a material consideration in the determination of future planning related applications, subject to the proviso that circumstances and information may change or come to light that could alter the position. It should be noted that the weight given to pre-application advice notes will decline over time.

Freedom of information

Your enquiry, together with any response made by the Council, will be made available for public inspection unless you confirm in writing to us that the information provided is commercially sensitive. If the Local Planning Authority receives a request, under the Freedom of Information Act (FOI) or Environmental Information Regulations (EIR), to disclose information relating to this pre-application enquiry they are obliged to do so unless the information is deemed exempt under the Act.

Note.

We can only withhold information under FOI or EIR if the information falls under one of the exemptions (FOI) or exceptions (EIR) set out in legislation. For certain pre-application issues the applicant would be advised to complete the commercially sensitive checklist that should set out the reasons why, and for how long, they feel any information relating to the case needs to remain confidential. However, whilst we will take account of these views, the final decision on whether the information should be withheld rests with the Council. The Council maintains compliance to the Data Protection Act and we will not release any personal information to third parties.

Commercially sensitive material

The authority may be obliged to disclose information in or relating to this pre-application enquiry following a request for information under the FOI or EIR therefore please outline in your submission which items you consider are confidential and genuinely commercially sensitive and which are not for disclosure in respect of your application.

The applicant acknowledges that the commercially sensitive information listed in this schedule is of indicative value only and the authority may be obliged to disclose it pursuant to a request under the FOI or EIR.

The authority shall act reasonably and use its discretion when making a decision to release or withhold information pertaining to the above if it is requested. By indicating what information you believe to be commercially sensitive the Council will consider your views however the authority will make the final decision to disclose information or not.

Note: To be kept with the pre-application correspondence for consideration should a request for information under the Freedom of Information Act 2000 or Environmental Information Regulations 2004 be received. This document can be destroyed in line with the retention and destruction schedule of pre-application enquiries.