

# **WESTMEATH COUNTY COUNCIL**

## **Planning Protocol for Small Scale Development**

**Adopted by Westmeath County Council – May 2005**

### **Introduction**

The Planning System is complex, difficult and frustrating, even for those most familiar with it. This complexity and difficulty is multiplied many times for the unfamiliar and it is into this category that the vast majority of those who apply for planning permission in this county fall. People rarely apply for permission, even once in their lives, as in most cases, people buy a house after someone else has gone through the process, usually professional architects and developers.

It is imperative therefore, that staff who are engaged in the planning process bear this in mind when dealing with planning applicants, whether in a pre-planning meeting or at any other time during or after the process.

Particular attention is drawn to the need to be courteous and polite at all times. It must be borne in mind that this is a very stressful time for the applicant. Their hopes and dreams may be tied up in the proposal and they may be very fearful of the process. It should also be remembered that this would be one of their most intense engagements with the state and we have a duty to make that engagement as painless as possible. These standards of service are set out in our Customer Service Action Plan.

Most applicants for permission can expect to have their application granted. Unfortunately, not all applications or proposals will meet with the approval of the Planning Authority. This is as it should be, as some proposals have a negative impact on others, the landscape, the environment or some other aspect of the county that outweighs the benefit to the applicant. In such cases, the correct answer is no, and this can cause disappointment and upset. Staff should be mindful of such disappointment when imparting such a view. Also, applicants and other affected parties should be aware that decisions are made in an objective and impartial way based on policy guidance rather than personal preferences.

## **General**

The pre-planning service being provided has been designed to be of maximum benefit to potential applicants and their agents. In order to gain maximum benefit from the process, **it is strongly advised that the applicant should be accompanied by their Agent.** This will facilitate the discussion of technical issues and avoid confusion later on as to what is required.

## **Choosing an Agent**

Applicants for permission should exercise great care in choosing an agent. A good agent will provide the following, which are invaluable:

- Well-informed advice on planning policy as set out in the County Development Plan, Government Guidelines etc.
- Advice on site selection
- Advice on house design
- Advice on wastewater treatment, which is becoming a critical issue

If a good agent has been engaged, the applicant has a better chance of a positive result and in a shorter time. A good agent will know what is required in terms of the above, and will reduce the likelihood of further information and clarification of further information requests. The outcome for the applicant will be lower charges in the long run, as the preparation of further information is costly. Furthermore, permission would be granted, where appropriate, in a shorter time and the stress levels for the applicant and the staff of the council would be greatly reduced.

## **Arranging and Attending a Pre-Planning Meeting**

The attached application form should be completed and submitted to the relevant planning office. In order for the meetings to be as beneficial as possible, all the information specified on the pre-planning application form must be supplied. Meetings cannot be arranged in situations where all the required information is not

supplied. On receipt of this information the Area Office will contact the agent / applicant with a date for the meeting.

**The primary objective of the pre-planning meeting will be to indicate at the earliest opportunity what issues need to be addressed in order to progress the proposal and to ensure that there is a clear understanding of any difficulties that may arise.**

The Planner will consider all the information supplied in advance of the pre-planning meeting and any additional relevant material and information presented at the meeting. Having considered all this information, the planner will give whatever advice or information that they consider may assist the applicant. Furthermore, if possible, the Planner will identify, given the information presented, the main issues to be addressed in the application and where relevant, any potential difficulties with regard to the proposal e.g. roads, drainage etc.

The County Development Plan and the Government Guidelines on Sustainable Rural Housing seek to facilitate development in rural areas to sustain rural communities and ensure appropriate rural development. However, some restrictions apply and these can be a source of confusion and frustration for applicants. Prior to a pre-planning meeting where the proposed development is a house in the countryside, a list indicating the type of information that should be brought to the meeting will be sent to the applicant. The applicant should make every effort to secure as much of this information as possible, including documentary evidence where appropriate, prior to the meeting. The planner will consider all such information at the pre-planning meeting and advise the applicant on any issues that might pose a difficulty.

It must be remembered that the opinion given will be of a preliminary nature, given that the site would not have been visited and that the issues involved would not have been examined in any detail. The Area Engineer will not normally be present at such meetings and technical issues such as wastewater treatment or road safety would not have been examined. Furthermore, third party input would not be available e.g. from affected neighbours, prescribed bodies, internal reports etc.

In all cases, a record of the meeting will be kept. A copy of this record will be placed on file in the Area Office for future reference, should an application for permission be made subsequently. A copy of the record will be sent to the applicant and/or agent following the pre-planning meeting.

As outlined above, the staff of the Council will be as helpful as possible at pre-planning meetings. However, it is incumbent upon applicants to choose a good agent, who will identify the major issues in advance of the meeting and gain most from the meeting. The staff cannot be expected to provide detailed advice on a case by case basis, or to take the place of the agent.

### **Outline Permission**

Where an applicant does want a definitive indication on a proposal and does not want to go to the expense of drawing up detailed plans, an option is to apply for **Outline Permission**. In this case, the Council will consider the proposal in principle, including such issues as access and layout and make a decision to grant with conditions or to refuse outline permission. Detailed building design would be determined at 'permission consequent' stage. If there is any doubt about local need issues the outline application is worth considering.

Where Outline Permission is granted, an applicant may apply for Permission consequent to an Outline Permission and the Council must grant permission, provided that the proposal is in accordance with the Outline Permission and is lodged within three years of the grant of Outline Permission. The development must be completed within five years of the grant of Outline Permission.

The advantages of this option are that the cost of preparing an application would be relatively low (as building drawings are not submitted) and the decision is binding. Since design details are not determined at this stage the process would be more straightforward and quicker but it does become a two-stage process and is therefore a longer process overall.

### **On-Site Pre-Planning Meetings**

In some circumstances, it may be beneficial to hold a pre-planning meeting on site. Such circumstances would only occur in exceptional circumstances, e.g. where a range of sites might be available in a particularly sensitive area.

Where a site meeting is to be held, the following would apply:

- A minimum of two council staff must attend for health and safety reasons.
- The Agent / Applicant to attend
- A full record of the meeting will be made, copied to the attendees, and subsequently placed on the public file.

As stated earlier, this meeting will take place without the benefit of information on third party impacts, archaeological reports, area engineering input etc. and this must be taken into account in terms of any advice given.

The final decision regarding the need for an on-site pre-planning meeting rests with the appropriate Director of Services.

### **Resources**

It is acknowledged that the planning system is under significant pressure due to the volume of applications being received and the detailed work that must be undertaken to arrive at a decision on each of these proposals. The technical and administrative staff engaged in the process are undertaking this work in a most thorough, professional and efficient manner and there is little or no capacity to take on additional work. For this reason, pre-planning meetings will in all cases be short, probably a maximum of fifteen minutes. Furthermore, there may be a delay in arranging a pre-planning meeting, especially at the busier times of year. However, the Council is committed to facilitating pre-planning meetings with the minimum delay and has set a target for the current year of three weeks from the receipt of completed application form and supporting documentation.

**Applicants should be aware that a pre-planning meeting is not essential and in many cases, a good agent will identify the key issues and advise the applicant accordingly. In cases where the applicant clearly qualifies for consideration and the range of sites available is very limited, a good agent should be able to deal with all the issues without recourse to a pre-planning meeting. In such cases, pre-planning may be an unnecessary delay.**

Where an applicant wishes to have a pre-planning meeting, one will be arranged as quickly as possible upon receipt of the pre-planning application form. The date of the meeting will be communicated to the applicant in writing and an indication of the additional information that should be brought to the meeting will be given. This information will depend upon the nature of the proposed development, but again, a good agent will know what is required in the circumstances.

### **The Role of the Elected Member**

The elected Member of the Local Authority has a key role in determining the planning **policy** for the functional area of the county / town as outlined in the County / Town Development Plan. However, the Member's role in terms of individual planning applications is limited to the making of a representation on behalf of a constituent. This can be in favour of or against a proposal and is normally made in writing, placed on the public file and taken into consideration in the decision making process. The Councillor often brings valuable information to the process by way of his or her close links to and awareness of the needs of the local community.

### **Conclusion**

As stated earlier, the primary objective of the pre-planning meeting is to indicate at the earliest opportunity what issues need to be addressed in order to progress a proposal for development or to identify the main difficulties that may arise. The staff of the council will be as helpful as possible and will attempt to make the process beneficial for all concerned.