

Leicestershire County Council Pre-Application Planning Advice Service Guide



Published – April 2024



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1. Introduction

- 1.1. Planning applications for building, extending or converting homes, offices or shops are handled by borough and district councils. They are responsible for all pre-application advice on all such applications.
- 1.2. Leicestershire County Council only deal with applications for minerals or waste-related developments, and for its own development, such as schools and libraries (known as Reg 3 applications). The County Council planning team can only offer pre-application advice for these.
- 1.3. The County Council welcome and encourage pre-application advice discussions before a planning application is submitted to us. The County Council introduced a charging scheme for pre-application discussions relating to minerals and waste (county matter) development proposals in 2022. The fee for this service depends on the scale of the development and is set out in [Section 3, Minerals and Waste pre-application planning advice options and fees](#). Some advice, such as confirmation as to whether planning permission is required, will continue to be provided free of charge. Fee levels will be reviewed annually. This document dated April 2024 has been published following a revision of the fees in March 2024 following an identified increase in costs for the Authority.
- 1.4. As the Local Highway Authority and the Lead Local Flood Authority (LLFA) the County Council also offer a specialist pre-application advice service on highway or transport matters or matters relating to surface water drainage for developments. Links to these services and other sources of pre-application advice and guidance from external consultees are listed in [Appendix A](#).
- 1.5. If you have any questions about the document please [email the planning team](#).

2. Why seek advice?

2.1. There are considerable benefits in seeking advice before making an application.

These include:

- an indication of whether a proposal would be unacceptable, saving you the cost of pursuing a formal application;
- minimising the need to satisfy conditions before developments already granted planning permission may commence;
- ensuring that your application is complete, comprehensive and to a satisfactory standard therefore avoiding rejection at the validation stage or early refusal because of inadequate or insufficient information;
- identification of site specific information on what is needed for an application to be considered more favourably;
- informing you of how national and local policies and guidance will be applied to your development;
- identifying early on the need for specialist input;
- helping you to conduct wider engagement with stakeholders where appropriate which can deliver better outcomes for all parties; and
- the early identification of any possible required legal agreements.

3. Minerals and waste pre-application planning advice options and fees

3.1. The planning team will respond to enquiries relating as to confirmation whether planning permission is required and advice for any proposal for which there is no planning fee, e.g. permitted development, for free. However, for other queries a fee may be required as set out within Table 1. Pre-Application Service Structure.

3.2. This pre-application charging arrangement only applies to applications which the County Council determines.

3.3. For applications relating to minerals, waste and the County Council's own development, if you require a formal determination as to whether an Environmental Impact Assessment ("EIA") is required, a request for a Screening Opinion must be submitted to the relevant planning authority under the EIA Regulations.

3.4. For applications relating to minerals, waste and the county council own development, if you require an opinion as to whether an Appropriate Assessment is required, a formal request must be made under the Habitats Regulations to the relevant planning authority and a Habitats Regulations Assessment prepared.

Scope of the Pre-Application Service

3.5. The scheme sets out four broad levels of pre-application engagement depending on the scale of the development and is set out in Table 1. Pre-Application Service Structure, below.

3.6. Following receipt of our pre-application advice, follow-up advice, site visits or meetings are subject to additional charges. For example, where a specific technical issue has been raised, it may be necessary for the applicant to consult with other consultees,

such as the Environment Agency or Natural England. If the applicant wishes officers from the County Council to attend, follow up meeting charges would apply.

Planning advice

3.7 The scope of advice provided will depend upon the individual case and the matters requested to be discussed. The list is not exhaustive but will include some or all of the following:

- The relevant documentation required to be submitted with an application, including necessary supporting documents in accordance with the County Council's Planning Application Validation Requirements;
- The requisite planning application fee;
- Any recommended pre-application consultation with other bodies;
- Relevant site constraints, development plan policies and national planning policies;
- Whether the proposal is likely to accord with the development plan and national policies, and whether planning permission is likely to be granted;
- Relevant planning history held by the County Council;
- Whether it is likely that planning obligations will be required;
- Explanation of the decision-making process and likely timescales;
- Any other relevant Minerals and Waste Policy advice such as mineral or waste safeguarding.

Specialist advice – Landscape/Arboriculture

3.8 The scope of advice provided will depend upon the individual case and the matters requested to be discussed. The list is not exhaustive but will include some or all of the following:

- Advice on the recommended information to support an application such as whether there is a need for plans detailing cross sections and slope profiles; existing vegetation, trees to be retained and methods of protection; and species mixes and specifications;
- Whether a Landscape and Visual Impact Assessment is needed (LVIA);
- Advice on the content of LVIAs including reviewing proposed viewpoints and/or photomontage locations. Please note, it is strongly recommended that locations used in an LVIA are agreed with LCC prior to submission and may need to take into account heritage receptors;
- Comments on proposed outline restoration plans including the appropriateness of layout and habitats; proposed screening; accessibility and path access; and habitat connectivity and landscape linkage;
- Comments on design changes to approved schemes;
- Comments on other landscape and visual impacts relating to built structures, e.g. fences;
- Arboricultural advice relating to LCC Tree Protection Orders.

Specialist advice – Ecology

- 3.9 The scope of advice provided will depend upon the individual case and the matters requested to be discussed. The list is not exhaustive but will include some or all the following:
- Advice on likely impacts on biodiversity, Local Wildlife Sites and priority habitats;
 - Scoping advice on the type and extent of ecology surveys needed for species and habitats;
 - Advice on whether a biodiversity data-search should be obtained from the local Environmental Records Centre (ERC) (note: a data-search will be charged for, and cross-county boundary applications or those close to the county boundary may need to commission data-searches from adjoining ERCs);
 - Advice on whether Natural England should be approached regarding potential impacts on a nationally designated statutory site;
 - General advice on how biodiversity net-gains or losses should be addressed, and advice on applying The Statutory Biodiversity Metric (DEFRA), or another latest metric, in Leicestershire.
- 3.10 Detailed advice such as the review of completed ecology surveys or biodiversity net-gain matrix in advance of the submission of an application sits outside of this pre-application advice service and may be subject to additional charges.

Specialist advice – Archaeology

- 3.11 The scope of advice provided will depend upon the individual case and the matters requested to be discussed. The list is not exhaustive but will include some or all of the following:
- Advice on the anticipated impacts of a scheme upon the historic environment, including archaeological remains;
 - Scoping advice on the type and extent of surveys required to assess the impact of a scheme on the historic environment;
 - Advice on whether a data-search should be obtained from the local Historic Environmental Record (Leics. & Rutland HER) (note: a data-search will be charged for, and cross-county boundary applications or those close to the county boundary may need to commission data-searches from adjoining HERs);
 - Advice on whether other bodies (e.g. Historic England, LPA, etc.) should be approached regarding potential impacts on a locally or nationally designated statutory site.
- 3.12 Detailed advice such as the review of completed archaeological surveys in advance of the submission of an application sits outside of this pre-application advice service and may be subject to additional charges.
- 3.13 Please note that this service will not include advice relating to built heritage and any possible impacts upon designated heritage assets as outlined in the development plan.

For advice on these matters you are advised to seek advice from the relevant Local Planning Authority and Historic England.

Specialist advice - Highways and Rights of Way

- 3.14 The advice will include the required standards and guidance as set out in the Leicestershire Highways Design Guide. Further specialist advice (for example the scoping of a Transport Statement/Assessment or review of a draft of these documents) this can be sought directly from the highways development management team via email hdc@leics.gov.uk. For queries relating to Section 38, Section 278 and Section 184 agreements, email road.adoptions@leics.gov.uk. Please note, there is a response time of 42 days for highways pre-application enquiries.

Specialist advice – Lead Local Flood Authority (LLFA)

- 3.15 The advice will include the required standards and guidance as set out in the LLFA's standing advice. If further specialist advice in relation to local flood risk and surface water drainage is required to inform your development proposal, or further information on local flood risk is required so that it can be accounted for during development, then please seek this by raising a pre-application enquiry via the LLFA team at flooding@leics.gov.uk. Further information can be found on the Surface Water drainage for Developments webpage. Please note, there is a response time of 21 days for LLFA pre-application advice.

Category	Description of development	Scope of Service	Cost	Additional Charges
Basic Advice	Any scale of development	Confirmation as to whether planning permission is required Advice for any proposal for which there is no planning fee.	Free	Site visit - £220 (per visit) Follow up advice or meeting - £220 (per additional advice/meeting).
History Search	Any scale of development	Review of site history and provision of documents electronically	£275	
Band A	Development up to 5,000 tonnes per annum, or New floorspace up to 150sqm (whichever is lower) Minor variations non-compliance to existing schemes Installation of plant and machinery Other development not falling within “Band B” or “Band C” categories Site area: Less than 0.5ha	Planning advice only	£275	
		Planning advice plus specialist advice	£440	
Band B	Development of 5,000 – 30,000 tonnes per annum, or New floorspace of 151-500sqm (whichever is lower) Site area: 0.5-1ha	Planning advice only	£495	
		Planning advice plus specialist advice	£825	

Category	Description of development	Scope of Service	Cost	Additional Charges
Band C	Development in excess of 30,000 tonnes per annum, or New floorspace in excess of 500sqm (whichever is lower) All EIA development (or when not screened, exceeding thresholds in Column 2 of the Regulations) Site area: 1ha+	Planning advice only	£880	
		Planning advice plus specialist advice	£1,375	

Table 1. Pre-Application Service Structure. Please note that the fees as set out in the table do not include VAT and that VAT will be added at the time of payment.

4. Applying for minerals and waste pre-application advice

4.1 To request pre-application planning advice please complete our minerals and waste pre-application request form which can be found on our website. This form sets out the information that is required from prospective applicants to enable the pre-application advice service to be provided. This form also allows you to pay the required fee online. It is recognised that in some cases not all the information will be available, but the more information that you provided at this stage will help use deliver a more tailored and site specific response.

4.2 As a minimum with the request form you should provide:

- Covering letter/Supporting Statement
- Site location plan (scale 1:1250 or 1:2500) with site boundary indicated;
- Proposed site layout drawing (including access);
- Waste proposals: facility throughput, waste types, waste processes, access, HGV movements;
- Mineral proposals: extraction quantities, timescale, processing activities, access, HGV movements.

4.3 In addition to this the following information would be useful:

- Details of the current use of land and buildings;
- Sketch drawings showing height/scale of development and elevational treatment;
- Information relating to any necessary Environmental Statement;
- Photographs and/or drawings showing site, buildings and trees as existing.

5. What we will do

5.1 Within 5 working days of receipt of the pre-application request form, required documentation and relevant fee you will be sent a formal acknowledgement to confirm that:

- your request for pre-application advice has been received;
- that the fee is correct, or where the fee is incorrect what the amount outstanding to be paid is;
- if any additional information may be required;
- confirmation of the case officer handling the request.

5.2 We will aim to provide advice within 28 days of receiving a valid request.

6. What will our advice contain

6.1 The pre-application advice given at the meeting or in written response may not necessarily be exhaustive. The advice given is intended to highlight the main issues raised by a proposed development that need to be assessed and considered as part of the planning application process. The advice will be based on the information available about the proposal and discussions that have taken place.

6.2 Whilst each proposal will raise different issues our advice will cover, as appropriate:

- the key planning considerations which need to be taken into account in preparing the planning application including the application form and supporting information required to meet national and local validation requirements;
- informal and without prejudice officer advice on the planning merits of the proposal;
- details of the relevant planning history of the site;
- a summary of planning policies (national and development plan) or guidance relevant to the proposal;
- details of any relevant statutory designations for the site and surrounding area and planning constraints to development;
- the need for any specialist input;
- advice about the council's development management process including consultation and publicity processes, estimated timescale for determination of the submitted application and decision making process;
- where appropriate suggest pre-submission consultation with identified consultees;
- where appropriate suggest pre-submission community engagement; and
- any other information deemed relevant.

7. Important Notes

- 7.1. Planning officers can only give a professional opinion on the merits of a pre-application proposal. Any views or opinions expressed in pre-application advice are made at officer level in good faith, and to the best of ability, without prejudice to the formal consideration of any planning application, which will be the subject of consultation and publicised, where new material planning considerations may be raised. Pre-application advice does not constitute a decision of the county council and can offer no guarantees.
- 7.2. Freedom of Information Act 2000 (FOI Act 2000) and Environmental Information Regulations 2004 (EIR 2004) - details of pre-application advice will not be available for public inspection. However, the County Council may be required to supply information relating to pre-application discussions to any party making an FOI or EIR information request. You must therefore, when sending a pre-application request, which you believe to be confidential, supply a covering letter or respond on the request form setting out the reasons why, and for what period, any information you provide relating to the enquiry, needs to remain confidential. Where this has been provided, in handling any requests for information held by the County Council we may accept the justification for confidentiality, and will make every effort, in so far as the FOI Act 2000 and EIR 2004 allow, to ensure that the information you provide is "inaccessible" in the sense of not being in the public domain, or a matter of public knowledge. However, the passage of time may mean that the information is no longer sufficiently sensitive to be considered confidential.
- 7.3. The pre-application service and charging scheme will be subject to periodic review. Feedback on the scheme is welcome in order to inform service improvement.

8. Appendix A

8.1. The following website links may be of assistance to you when working up a proposed scheme or submitting a planning application to Leicestershire County Council:

[Blaby District Council](#)

[Charnwood Borough Council](#)

[Environment Agency](#)

[Harborough District Council](#)

[Hinckley & Bosworth Borough Council](#)

[Historic England](#)

[Leicestershire County Council Planning Application Validation Requirements](#)

[Lead Local Flood Authority \(LLFA\) pre-application advice service](#)

[Leicestershire Highway Design Guide](#)

[Leicestershire Historic and Natural Environment Team – Archaeological advice](#)

[Leicestershire and Rutland Environment Records Centre \(LRERC\)](#)

[Leicestershire and Rutland Wildlife Trust](#)

[Melton Borough Council](#)

[National Grid](#)

[National Highways](#)

[Natural England](#)

[Network Rail](#)

[North West Leicestershire District Council](#)

[Oadby and Wigston Borough Council](#)

[Planning Portal](#)

[Planning Practice Guidance](#)

[Severn Trent Water](#)

[Sport England](#)

[The National Forest](#)