RYEDALE DISTRICT COUNCIL

Discharging Planning Conditions

Your Questions Answered

What do the charges apply to?

The charges apply to all requests for approval of details to discharge conditions attached to planning permissions and requests for confirmation that conditions have been complied with, regardless of when permission was granted (subject to the exceptions set out below).

Are there any exceptions to the charges?

There are exceptions to the charges for:

- Requests relating to Listed Building Consent;
- Requests to discharge conditions on an Outline permission (other than submission of "Reserved Matters"); and
- Discharging conditions attached to applications resulting from a condition removing "Permitted Development Rights".

When will the charges apply from?

The charges will apply to any request received after 6 April 2008.

How much will it cost?

There will be a standard charge of £25 for householder developments, and £85 for all other developments, per request.

If I have more than one condition to discharge, will I have to pay a fee for each condition?

No, a fee is charged for each "request". Therefore, if you apply for discharge of all your conditions at once, you will only be charged one fee. However, if you send in details for each condition separately, these will be counted as "separate requests" and you will have to pay further fees.

How do I make a request to discharge a condition?

Requests to discharge conditions should be made on the standard forms entitled "Application for Approval of Details Reserved by Condition", which are available from **www.ryedale.gov.uk** or the Planning Helpdesk. The appropriate fee must be provided with the request.

How do I make a request for confirmation of Compliance with Conditions?

Requests for confirmation of compliance with conditions should be made in writing or by e-mail to the address below. The appropriate fee must be provided with the request.

What happens if I don't provide the fee?

The Council will write to you to advise you that a fee is required. If it is not received, no response will be provided.

What happens if I don't discharge my conditions?

Commencement of development, prior to the discharge of relevant conditions will render the development unlawful, and could lead to formal enforcement action by the Council.

Will I be charged again if you do not approve details submitted for discharge of conditions and I submit revisions or further information?

No, where exchange of information/correspondence is ongoing, a further fee will not be required.

Will I be charged again if I want to revise details already approved for discharge of conditions?

Yes, you would be charged again. There is no "free go" or discount.

Why are you introducing charging?

Charging for handling written requests has been made statutory by the Government, and will achieve the following customer benefits:-

- Guaranteed response within 12 weeks, or your money back;
- Written answer which can be used in Home Information Packs (HIPs), or to satisfy purchaser's Solicitors;
- Enable us to dedicate more officer time to each request; and
- Enable us to keep a record of approved details, so that if we receive any queries from your neighbours when you start work, we can advise them what is happening and help to avoid neighbour disputes.

Why £25/£85?

The fees have been set nationally by the Government.

How do I vary the requirements of a condition or remove it?

If you consider that a condition is unreasonable, you can within 6 months of the date of the Decision Notice, appeal against it to the Secretary of State. Details of how to do this are on the reverse side of your Decision Notice or on the Planning Inspectorate website **www.planning-inspectorate.gov.uk**

In all other cases, a further planning application must be made to the Council.

How can I find out more?

Visit our website: www.ryedale.gov.uk

Visit the Planning Portal: www.planningportal.gov.uk

Write to/Send Completed forms to:

Planning Department
Ryedale District Council
Ryedale House
Old Maltongate
MALTON
North Yorkshire
YO17 7HH

E-mail: dc@ryedale.gov.uk

Telephone: 01653 600666