

MIDDLE LEVEL COMMISSIONERS



Commissioners' and Associated Boards' Policy on placing Land Charges on sites and use of Pre-/Post- Application Procedure

Under the byelaws of the Boards/Commissioners administered from this office, it is a criminal offence to increase the flow or volume within their Districts without the prior written consent of the relevant authority. This applies whether or not planning permission has been obtained or is necessary and in addition to other consents which may be required.

It is the policy of the Boards/Commissioners to request an entry to be placed on the Register of Local Land Charges thus bringing your and potential purchasers' attention to this requirement. This entry will remain until it is confirmed in writing that either consent is granted or our engineers confirm that no consent is required.

This Register entry can be avoided or the time for which it is required reduced, where applicants use our pre-application procedure. This procedure aims to deal with the issues of concern to the Boards/Commissioners at an early stage and prior to a formal application for planning permission or for our consent being made and thereby to attempt to meet the timescales which other authorities may have for determining applications and avoid objections. Agents are reminded that the Boards/Commissioners have no duty to respond within a certain time or at all to a planning consultation and, in view of this, we concentrate our limited resources on dealing with discussions and approaches held or made using the pre-or post-application processes. Further information on the pre-/ and post-application processes is available on our website at www.middlelevel.gov.uk. The latter process, which by definition occurs after a planning application has been made and does not therefore provide the advantages of the pre-application procedure, does provide the opportunity for a bespoke discussion of the proposals and provides a useful mechanism for ensuring that our concerns are met, where it is not possible to use the pre-application procedures.

Agents/applicants are therefore strongly encouraged to use these procedures which have been designed to maximise the use of our resources and assist in meeting the requirements of the Boards/Commissioners.