

Report to Portfolio Holder for Growth and Regeneration

Subject: Planning Pre-Application Advice Charges

Date: 20 March 2019

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Wards Affected

Borough-wide

Purpose

To seek approval to implement updated pre-application advice charges from 1st April 2019 to reflect the actual costs incurred by the Council of operating this discretionary service.

Key Decision

This is not a Key Decision

Background

- 1.1 Pre-application advice charges became effective from the 1st July 2015 and the fees have not been reviewed following implementation. The basis for introducing charges was derived from Section 93 of the Local Government Act 2003, which enables Local Authorities to charge for discretionary services, providing that the charges are set on a cost recovery basis. The charges can be set on this basis because the Council has no statutory duty to provide pre-application advice to developers and applicants for planning permission. There are powers to charge available under the Localism Act 2011 for non-statutory functions.
- 1.2 The charges are made upfront, before any advice/information is given, thus there are currently no costs of debt recovery.
- 1.3 Following the introduction of the charges in 2015, the uptake of the service by developers has been positive, especially in relation to minor developments proposing 1-2 new build dwellings and large scale major developments. The uptake of the service by our residents wishing to extend their homes has been low, and this could be because the current cost of submitting a pre-application advice request for a householder development is greater than the cost of making the equivalent planning application. The current service also provides costs for the provision of pre-application advice without a meeting. The uptake of this aspect of the service has been low and it is often still necessary to facilitate a meeting to progress enquiries.
- 1.4 Since the introduction of the charges, the Planning Service has been restructured and a more robust process implemented for determining pre-application advice requests, to closer reflect the internal processes which are followed when determining an actual application for planning permission. This process change has significantly improved

the quality of the advice provided through the Pre-application advice service; however it has increased our operating costs, in some areas.

- 1.5 A commitment has been given as part of the budget setting process for 2019/20 to review pre-application advice charges.
- 1.6 Our current charges are outlined in Appendix 1.

Proposal

- 2.1 It is proposed that the Portfolio Holder for Growth and Regeneration approves the amended Pre-application advice fees detailed in Appendix 2 of the report to be applied to all request made to the Planning Service for pre-application advice.
- 2.2 In order to calculate revised fees based on our revised processes, it has been necessary to establish our costs associated with determining each type of advice request, by looking at our processes and understanding which key members of staff are involved in this process.
- 2.3 This has been established by looking at the hourly rates (plus on costs) of staff and the average amount of time each member of staff spends dealing with a particular pre-application advice request.
- 2.4 As detailed in the appendices, the cost to the users of the service either increases or stays the same, with the exception of enquiries submitted by householders to extend their home. The cost of providing this service falls from £175+VAT to 125+VAT.
- 2.5 The current service provides a non-meeting option, which is infrequently used. Staff involved in the provision of the service are of the opinion that a meeting is in the interest of all parties. It is therefore proposed to remove the non-meeting option. The revised fees therefore include a site visit, a meeting and one written response.
- 2.6 There is no requirement to carry out consultation in relation to the amended charging schedule. The Council's website will however be updated and the guidance notes will be updated to reflect the revised charges.
- 2.5 The implementation of the amended fees will be reviewed annually to ensure the fees collected reflect the costs of providing the service in relation to each pre-application advice category.

Alternative Options

3. An alternative option is to continue with the current charges. However, the recent work undertaken demonstrates that the current charges for the majority of our pre-application advice request do not meet the Council's costs of providing the service. This is therefore not considered to be a viable alternative.

Financial Implications

4. The charging scheme will be kept under review annually in order to ensure that the charges are accurate, that they reflect our actual costs and that they appropriately reflect legislation requirements in terms of being provided on a cost recovery basis. It is anticipated that the proposed charging schedule would generate additional income and that the level of income generated would be approximately £20,000, based on the uptake of the service in 2018/2019. The current approved budget assumes the introduction of the service from 01 April 2019.

Appendices

5. Appendices 1 – Existing Pre-Application Advice Charges
Appendix 2 – Proposed Pre-Application Advice Charges

Background Papers

6. None identified.

Recommendation

That the Portfolio Holder for Growth and Regeneration:-

- a) **Approves the introduction of updated pre-application advice charges in accordance with appendix 2 with effect from 01 April 2019.**

Reasons for Recommendations

7. To contribute to the delivery of a balanced budget both in 2019/20 and in the medium term, and satisfy statutory requirements.