

PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE	AGENDA ITEM No. 6
27 APRIL 2010	PUBLIC REPORT

Cabinet Members responsible:	Lead Members: - Councillor Piers Croft - Cabinet Member for Strategic Planning, Growth and Human Resources Councillor Peter Hiller - Cabinet Member for Neighbourhood, Housing & Community Development	
Contact Officers:	Simon Machen (Head of Planning Services)	Tel. 384530
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PRE-APPLICATION ADVICE SERVICE – REVISIONS TO FEES

RECOMMENDATIONS	
FROM : Head of Planning Services	Deadline date : 27 April 2010
That Committee are consulted on the revisions to the pre-application advice fees which shall be implemented from 18 th May 2010 and endorses the principle of giving up to 30 mins of free face to face advice in respect of the principle of development proposals.	

1. PURPOSE AND REASON FOR REPORT

- 1.1 This report is submitted to Committee as revisions to the fees payable for the pre-application advice service previously consulted on by the PEP Committee require changing. Committee are being consulted on this matter for information as it has implications for the delivery of the planning service.

2. TIMESCALE.

Is this a Major Policy Item/Statutory Plan?	NO	If Yes, date for relevant Cabinet Meeting	
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3. MAIN BODY OF REPORT

- 3.1 Committee were consulted on the principle and scale of pre-application charges in a report presented on 14 April 2009. This report set out the background to making such charges. The Local Planning Authority is entitled to charge for the service under Section 93 of the Local Government Act 2003. The Service commenced charging in line with the recommendations set out in this previous report in January 2010.
- 3.2 Since the pre-application scheme has been in operation, it has become apparent that:
- A nominal charge should be made for all small scale pre-application advice including from householders and small businesses.
 - The fees set for changes of use are excessive and exceed the planning application fee e.g. for telecoms, advert and smaller commercial proposals
- 3.3 For those categories of development where the pre-application fee has been found to be excessive, there has been little incentive for prospective applicants to participate in the pre-application process contrary to the recommendations of the Killian Pretty Review.

- 3.4 The need to introduce a nominal charge in respect of small scale pre-application advice above arises from the fact that:
- These applications account for a significant proportion of pre-application advice requests and therefore there is the need for some of the costs incurred by the Council to be met by the applicants
 - New permitted development rules have been introduced that mean more time has to be spent on handling pre-application enquiries from shops and businesses etc.
 - The Planning Service, like many other areas of the Council, is having to make significant financial savings for the 2010/11 financial year and the alternative would be to reduce the scope of the pre-application service

3.5 The proposed revised fees are as follows:

a) Householder - £60 (currently no charge)

b) Development relating to shops, offices, B1, B2 or B8 or other commercial business property:

0 - 75 sq m = £80 (currently no charge up to 250 sq m)

76 - 150 sq m = £150

151 – 500 sq m = £300 (current charge £750 for proposals between 250 & 999sqm)

501 – 700 sq m = £400

701 – 850 sq m = £500

851 – 999 sq m = £600

c) Changes of use - £150 (currently free up to £250 sq m, £750 thereafter)

d) Telecoms - £80 (currently £750)

e) Adverts - £60 (currently no charge other than £750 for large scale adverts)

These fees have been calculated using the hourly rate per grade of officer likely to respond to the complexity of the enquiry together with on-costs such as administrative/technical support, paper and printing overheads, ICT etc. The fees for business premises have been split as set out above to reflect the likely complexity of the proposal and the time needed to respond to the enquiry. As per the existing scheme, we will continue to negotiate fees, possibly via a Planning Performance Agreement for the very large/complex schemes.

3.6 We recognise that particularly for larger complex schemes or those on “sensitive” sites (e.g. city centre, where there are several site constraints), it would prove costly for the potential applicant to draw up detailed plans, only to discover that there is an “in principle” conflict with planning policy that could have been raised at the outset. Therefore, where schemes raise issues of the principle of the development (usually larger schemes, outline applications) we have put in place a fee free half hour meeting with an officer to address the “in principle” issue prior to the applicant going through the formal pre-application process. The suitability of the scheme for such a meeting is at the discretion of the officer and potential applicants will need to contact the Service and speak with the relevant area officer to discuss the value of having such a meeting/arrange a suitable time and date. This will involve a discussion around the principle of the development and not consideration of detailed plans.

4. CONSULTATION

4.1 No external consultations have been undertaken or proposed in connection with this report

4.2 Internal consultations with Legal and Finance have been undertaken and comments received have been incorporated in to this report.

5. ANTICIPATED OUTCOMES

- 5.1 That the fee changes will be implemented and that the pre-application service will become self financing to a greater degree and that the fee structure is more equitable.

6. REASONS FOR RECOMMENDATIONS

- 6.1 The changes in the fees will have the following benefits:
- The cost to the service of providing the service will be self financing to a greater degree
 - The fees proposed for householders and small businesses is set at a nominal level that would not put people off from using the service
 - The fees proposed for Telecom proposals and changes of use are disproportionate and discourage participation in the pre-application process
 - The purpose and terms of offering an initial half hour meeting (max) are clarified.

7. ALTERNATIVE OPTIONS CONSIDERED

Make no changes to the fee structure. This is not recommended as the fee structure will remain unbalanced as indicated in section 1 of the report

8. IMPLICATIONS

Legal Implications – There is the requirement (that has been complied with) for the fees to be reasonable to the extent that the Council does not profit from them.

Financial Implications – As the pre-application service has only been operational since January 2010 it is not possible (with any degree of accuracy) to determine the financial impact of the proposed fee changes. Nevertheless it should be noted that it is proposed to introduce fees in areas where the service has been free and reduce fees in areas where applicants have been put off using the service due to the disproportionate fees.

Human Rights Act – No implications

Human Resources – Can be delivered within existing resources

ICT – No implications

Property – No implications

Contract Services – No implications

9. BACKGROUND DOCUMENTS

1. Report to Planning & Environmental Protection Committee 14 April 2009

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