

Item No.	Classification: Open	Date: 10 March 2022	Meeting Name: Cabinet Member for the Climate Emergency & Sustainable Development
Report title:		Review of pre-application fees for minor, householder, changes of use and listed building proposals.	
Ward(s) or groups affected:		All	
From:		Director of Planning and Growth	

RECOMMENDATION(S)

1. That the Cabinet Member for the Climate Emergency & Sustainable Development authorises the Planning and Growth Division to publish a new Schedule of Pre-Application Fees (Table 1) for householder and minor applications with an implementation date of 1 April 2022.

BACKGROUND INFORMATION

2. This report sets out the proposals for pre-application Planning Fees chargeable by the Planning and Regeneration Department for advice for minor, householder, other and listed building applications. Discretionary fees for larger applications have already been dealt with in a separate IDM.
3. This report follows a wide review of how to make the council's planning function self-financing, including charging for services that are currently not charged, specifically amendments to live planning applications, and listed building applications.
4. The proposed increases in pre-application fees will ensure that the increasingly complex demands and higher costs to the service generated by all types of including householder/minor applications are reflected in the fees charged.
5. The Council's constitution requires that all fees and charges increases are agreed by the relevant Cabinet Member through an Individual Decision Maker (IDM) report. An IDM report is also required where no increase or a reduction in fees and charges is proposed.

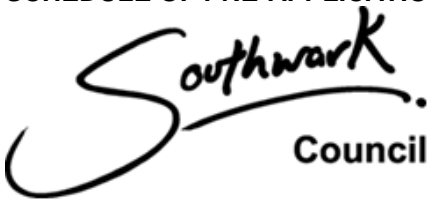
KEY ISSUES

6. For almost fifteen years, a number of Local Planning Authorities (LPAs) in London have charged for planning pre-application advice. This has been broadly welcomed by the development community in the move from

Development 'Control' to Development 'Management' which encourages pre-application discussions with the LPA to ensure a smooth and timely decision-making process. In order to provide this service LPAs have had to charge for their pre-application advice as this is above and beyond the statutory requirement to receive and determine planning applications in a timely manner.

9. The uptake of the pre-application service for householder, minor, changes of use and other application types has been low resulting in a significant number of applications being amended after submission. These amendments are generally accepted by officers with no additional fee and often with no extension to the determination period. This places a burden on the case officer and service in general (mainly through re-consultation and additional assessment). This is a discretionary activity, not required by legislation.
10. Some applicants have been known to exploit this approach, making repeated and extensive amendments that far exceed the statutory fee. The expert planning advice they receive is free of charge and drains resources from more deserving applicants who have worked hard to submit a quality application or who might have used the pre-application service.
11. To resolve these issues and to recover the cost of delivering the service, we propose that for all householder/minor applications received from the 1st of April 2022:
 - No request for an amendment be accepted, other than through a new Planning Application Amendment service
 - A fee shall be levied for the assessment of requests for an amendment
 - Amendments shall attract a fee proportionate to the work required and the benefit, if any, of the amendment to the Council and its stakeholders
 - The acceptance of any amendment is entirely at the discretion of the Council
12. The fee for amendments for householder, minor, changes of use and other application types will be based on the adopted schedule for pre-application charges which were originally designed to apply where the council receives a request for extension of time in the course of processing an application where no pre-application advice was sought. There will be a sliding scale charging system depending on the scale of amendments. The level of fees will be set to encourage access to the service and not to disproportionately impact residents.
13. Charging for Pre-Application advice will be accompanied by a service specification which sets out the service applicants can expect from the LPA including the requirement for a meeting either on site or at the council, a written response and timescales.

16. The published Pre-Application charges have to be based on demonstrable costs to the LPA. To do this, the pre-application service has been broken down into a number of activities, an analysis of the time taken for each activity, and a cost assigned for each activity based the published Hay Grades adjusted to allow for overheads.
17. The resultant schedule of costs has been prepared based on all application types/proposals across the planning service.
18. **Table 1 – Proposed increase in pre-application charges for householder/minor applications advice from 1st April 2022**

SCHEDULE OF PRE-APPLICATION CHARGES (Updated April 2022)				
				
<p>THE LISTED CHARGES WILL APPLY EQUALLY TO MEETINGS FOR THE DISCHARGE OF CONDITIONS OR OBLIGATIONS AS WELL AS RESOLVING BREACHES OF PLANNING CONTROL</p> <p>The listed Charges will also apply where the council receives a request for extension of time in the course of processing an application where no pre-application advice was sought</p>				
Development Categories	Eligibility	What you can expect from us	Fees	Add-ons (optional)
A1. Householder applications	Householder development (i.e. affecting a single dwelling <u>except for disabled persons</u>) <ul style="list-style-type: none"> • Advice on likelihood of getting planning permission. • Extensions or change of use involving less than 100sqm of floor space • Shop fronts, signs and adverts for a shop or attached to a business premises 	<ul style="list-style-type: none"> • Confirmation email or letter for valid Corporate Enquiries • Formal advice letter • Request for extension of time in the course of processing an application where no pre-application advice was sought 	£200 (£166.67 ex VAT) @£60/hour up to £100	£200 (Site Visit) (£166.67 ex VAT) £200 (attendance by an additional Officer e.g. Design and Conservation or Transport Planner) (£166.67 ex VAT)
A2. Renewable Energy Enquiries	Householder technical assistance with (i) renewable/green energy installations	<ul style="list-style-type: none"> • Telephone conversation/email exchange with a planning officer for assistance on 	Free	<ul style="list-style-type: none"> • Confirmation email or letter providing technical advice

	and (ii) sustainable transport installations such as cycle storage	permitted development rights and application process for (i) solar panels, heat pumps, insulation and cladding and (ii) sustainable transport installations such as cycle storage		
A3. Listed Buildings - Householder	Householder technical assistance with restoration / conservation works	<ul style="list-style-type: none"> • Telephone conversation with a conservation officer for assistance on what is available on the council's web-site 	Free	<ul style="list-style-type: none"> • Confirmation email or letter providing technical advice £200 (£166.67 ex VAT)
A4. Listed Buildings - Development	Development of a Listed Building Extensions or internal alterations	<ul style="list-style-type: none"> • Meeting with a planning officer and/or other specialist officers • Site visit • Formal advice letter • Request for extension of time in the course of processing an application where no pre-application advice was sought 	<p>£200 (£166.67 ex VAT)</p> <p>@£60/hour up to £200</p>	£200 (Site Visit) (£166.67 ex VAT)
B Small proposals	<p>Proposals involving 1-6 dwellings; New build or extensions of 100-499sqm (any use class) including change of use.</p> <ul style="list-style-type: none"> • Development of a listed building or affecting its setting • Telecoms Masts and Equipment • Advice on Conditions, Non-material amendments, Minor Material Amendments • Advertisement boards (not 	<ul style="list-style-type: none"> • Meeting with a planning officer and/or other specialist officers • Site visit • Formal advice letter <p>Request for</p>	<p>£350 (£291.67 ex VAT) for:</p> <ul style="list-style-type: none"> • each new dwelling • each 100sqm of commercial floor space • Each condition • Each amendment <p>@£60/hour</p>	<p>Follow-up meetings and letter charged at £200 (£166.67 ex VAT) for:</p> <ul style="list-style-type: none"> • each new dwelling • each 100sqm of commercial floor space • Each condition • Each amendment discussed at the meeting

	attached to a business premises)	extension of time in the course of processing an application where no pre-application advice was sought	up to £2000	
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Policy implications

- 19. The National Planning Policy Framework (NPPF 2021) stresses the importance of pre-application engagement and front-loading and states in paragraph 188: *“Early engagement has significant potential to improve the efficiency and effectiveness of the planning application system for all parties. Good quality pre-application discussion enables better coordination between public and private resources and improved outcomes for the community.”*
- 20. The NPPF and the council’s Core Strategy reiterate the importance of the design review process which is an important part of any development proposal and is most appropriate at the pre-application stage. This is particularly pertinent to the largest scale of development.

Community impact statement

- 21. There is no obligation for the council to consult on the revised pre-application charging schedule. The revised schedule has been benchmarked against other London LPAs and is consistent with their current charges. These revised costs are for householder and minor applications. They are based on the additional costs of delivering the discretionary service and have been scrutinised by senior officers. *The householder fees have been capped at relatively modest levels to ensure that any fees associated are proportionate to the level of service being provided and do not exclude access to the planning system to the wider community.*

Equalities (including socio-economic) impact statement

- 22. In respect of householder applications the costs have been capped to ensure that the wider community including groups with protected characteristics are not financially excluded from the planning system.

Climate change implications

- 23. Following council assembly on 14 July 2021, the council has committed to considering the climate change implications of any decisions.
- 24. The increase in fees associated with these proposals is likely to ensure that a high quality pre application service can be maintained on a sustainable

basis. This early engagement should ensure the delivery of the council's ambitious climate change policies. The fees structure for smaller applications has been designed to encourage householders in particular to seek free advice on installation of PVs and ASHPS and installations such as cycle storage that encourages sustainable modes of transport.

Resource implications

25. Notifying the public of the revised pre-application charges will not result in resource implications for the staffing of the Chief Executive's Department. The Director of Planning and Regeneration will ensure that pre-application advice is delivered consistently and in accordance with the published service specification.

Financial implications

26. This increase in fee income is not growth, it will help the planning service to deliver its budget commitments.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Director of Law and Governance

27. none

Strategic Director of Finance and Governance

28. This report seeks approval from the Cabinet Member for the Climate Emergency & Sustainable Development to authorise the Planning and Growth Division to publish a new Schedule of (Pre-Application Fees (Table 1) with an implementation date of 1 April 2022.
29. The strategic director of finance and governance notes the financial implications detailed in the report and understand that additional revenue generated from this recommendation is required to meet the current income budget target for the service area.
30. Staffing and any other costs connected with this report to be contained within existing departmental revenue budgets.

BACKGROUND DOCUMENTS

APPENDICES

No.	Title
N/A	

AUDIT TRAIL

Lead Officer	Stephen Platts Director of Planning and Regeneration	
Report Author	Dennis Sangweme Head of Development Management	
Version	Final	
Dated	March 2022	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Director of Law & Governance	No	No
Strategic Director of Finance and Governance	Yes	Yes
Cabinet Member	Yes	Yes
Date final report sent to Constitutional Team	9 March 2022	