

PRE APPLICATION ADVICE FEES

Planning Advisory Committee - 23 November 2017

Report of	Richard Morris
Status	For consideration
Also considered by	Cabinet - 7 December 2017
Key Decision	Yes

Executive summary: This report proposes to increase charges for pre application advice. It is recommended that fees are charged in accordance with the schedule at Appendix A.

This report supports the key aim of providing value for money and to support and develop the local economy.

Portfolio Holder Cllr. Robert Piper

Contact Officer Carol Humphrey, Ext.7361

Recommendation to Planning Advisory Committee: To recommend that Cabinet agree the proposed changes to the pre application charges as set out in Appendix A, for implementation from 1 January 2018.

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Reason for recommendation: To implement the resolution of Cabinet at its meeting on 9 February 2017 seeking to recover additional pre application fees. Minute 2017/68 refers.

Introduction and background

- 1 We are committed to working with our customers early in the planning application process in order to help them find out whether their proposal is likely to be acceptable, to give advice on information needed and to suggest who to consult including neighbours. Pre application advice is also helpful so that our customers know how to make a valid application. To that end we positively encourage pre application advice because it can give the customer greater clarity and reassurance about their proposal. We can also alert them to issues and concerns that might arise from their plans.

- 2 Our charged pre application scheme will provide customers with detailed written advice on categories of proposed development. There will be a template form and guidance available on our website for applicants. This will ensure that we receive all the information that we need in order to give appropriate advice. Currently 60% of pre applications approaches result in planning applications.
- 3 A number of minor extensions to dwellings are permitted development. This means that they do not need planning permission and so would not need to take advantage of our pre application service.
- 4 We have, along with many other local planning authorities, sought to formalise our service, setting timetables for responses but also establishing appropriate charging regimes. Charges can only recover our costs for the provision of a pre application advice service.
- 5 We initially introduced charges in 2008 and last reviewed them in 2012 (Cabinet minute: 2012/94). Since that time we have not increased the charges.
- 6 Appendix A sets out the new charges proposed for implementation from 1 January 2018. It is intended that these charges would remain in place until March 2019.

Benchmarking

- 7 We have set out in Appendix B a benchmarking exercise carried out to assess whether our proposed charges are comparable with nearby councils. Whilst it is not always easy to compare, as different authorities have diverse regimes, the figures show that we are not out of step with these councils.

Other options considered and/or rejected

- 8 Cabinet considered the budget for 2017-18 in December 2016. At that time officers proposed an increase in charges for pre application advice to secure additional income of £20,000. Cabinet agreed this but also sought consideration of a further increase. (minute 2016/52 refers)

(c) An increase in the savings proposed by the saving item at SCIA 4 relating to charges for pre application advice be sought
- 9 A further report was submitted to Cabinet in January 2017. The minutes (minute 2017/60) show that Cabinet agreed an additional £5,000 bringing the total additional income from pre application charges for 2017-18 to £25,000.
- 10 The issue of 'the do nothing option' and leaving our pre application charges unchanged was, following these two Cabinet discussions, in effect rejected by Cabinet when setting the overall Council budget in February 2017.

Key implications

Financial

The expectation of Cabinet is that the service recovers an extra £25,000 a year in income from the revision of the pre application charges regime. Last year we achieved £76,920. It is acknowledged that the increase in charges may result in a slight downward trend, but with improved delivery and publicity through our website, we expect to see a sustained take up of this discretionary service.

Due to restrictions relating to the timing of committees there will only be three months of this financial year to recover the additional requirement. Officers expect that £25,000 will not be achieved in the current financial year.

Legal implications and Risk Assessment Statement.

The provision of pre application advice is a discretionary service. Under the Local Government Act 2003 we are able to recover our reasonable costs in providing this service. The proposed charges have been set to ensure that we are operating within the terms of the 2003 Act. This ensures that we recover the cost of the service directly from the user rather than as a general cost to all our Council tax payers.

It is acknowledged that the increase in charges may result in a slight downward take up of the service. Their implementation in month ten of this financial year, is likely to mean that we will not reach our projected budget for 2017-18. We have therefore increased them to reflect this, but also to set an appropriate level until the next proposed pre application review for implementation in April 2019.

Equality assessment

The proposed service is a universal one and available for all users of our planning service. We do not expect that individuals will be discriminated against.

Conclusions

It is beneficial to both customers and the service that pre application advice is provided and that we recover our reasonable costs.

Appendices

Appendix A - Existing and proposed charges
Appendix B - Benchmarking exercise - pre application charges made by neighbouring and other councils.

[Cabinet agenda and minutes - 9 February 2017](#)

Background Papers

Richard Morris
Chief Planning Officer

Appendix A - Our existing and proposed charges for 2017-18¹

			2016-17	2017-18 proposed (inclusive of VAT)
1	Written	Householder applications - first letter	£0	£96
		Householders applications - second letter	no set fee	£96
2	Meeting	Householders	£50 + VAT	£120
3	Written	Other eg. advertisements, certificate of existing lawful use or variation of condition	£75 + VAT	£180
4	Written	Minor eg. 1-9 new dwellings, commercial floor space less than 999m ² , barn conversions or stables	£150 + VAT	£360
5	Meeting plus written advice	Minor eg. 1-9 new dwellings, commercial floor space less than 999m ² , barn conversions or stables	£250 + VAT	£450
6	Meeting plus written advice	Major eg. 10-49 new dwellings, commercial floor space between 1000 - 4999m ² (or sites covering more than 1ha)	Negotiable + £375 per hour for meetings	Negotiable + min £480 per hour for meetings
7	Meeting plus written advice	Large Major eg. 50 plus new homes, commercial floor space - 5000m ² +	no set fee	Negotiable + min £550 per hour for meetings

¹ To include all pre application approaches for works to listed buildings

Appendix B - Benchmarking exercise - pre application charges made by nearby councils 2017².

	Type of response ³	Pre application categories	Sevenoaks 2016/17	Sevenoaks proposed	Tandridge	Dartford	Gravesham ⁴	TMBC	TWBC	Bromley	Wealden
1	Written advice	Householder applications - first letter	£0	£96	£100	£96	£55	£78	£75	£195	£56
		Householders applications - second letter	no set fee	£96	£100	£96	£55		£75	£195	
2	Meeting plus written advice	Householders	£50 + VAT	£120	£256 - £440	£210	N/A	£144	£100	£195	£70
3	Written advice	Other eg. advertisements, certificate of existing lawful use or variation of condition	£75 + VAT	£180	£256 - £540	£300	£165	£120 - £300	£75	£195	£230
4	Written advice	Minor eg. 1-9 new dwellings, commercial floor space less than 999m ² , barn conversions or stables	£150 + VAT	£360	£256 - £540	£120	£385	£120 - £300	£150	£977	£184 - £340
5	Meeting plus written advice	Minor eg. 1-9 new dwellings, commercial floor space less than 999m ² , barn conversions or stables	£250 + VAT	£450	£470 - £840	£600 - £900	£385	£120 - £300	£200	£977	£230 - £425
6	Meeting plus written advice	Major eg. 10-49 new dwellings, commercial floor space between 1000 - 4999m ² (or sites covering more than 1ha)	Negotiable + £375 per hour for meetings	Negotiable + min £480 per hour for meetings	£800 - £1340	£1,800 - £2,700	£1,155	£480 - £660	£450 per hour	£1,903	£440 - £1600
7	Meeting plus written advice	Large Major eg. 50 plus new homes, commercial floor space - 5000m ² +	no set fee	Negotiable + min £550 per hour for meetings	£5000, includes site visit and 3 meetings	£2400 - £3200	no info	£1,080	£900 per hour	£4,347	£1300 - £2700

² Charges below are inclusive of VAT except for our 2016-17 charges

³ We will provide detailed written responses to proposals submitted under the pre application scheme. There may be occasions where we will include officers from other services both from within the council and experts from Kent County Council.

⁴ Written advice only