

<b>Key Decision Required:</b>	<b>No</b>	<b>In the Forward Plan:</b>	<b>No</b>
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## CABINET

1 MARCH 2013

### REPORT OF THE PORTFOLIO HOLDER FOR PLANNING AND CORPORATE SERVICES

#### **A.7 REVIEW OF PRE-APPLICATION ADVICE SERVICE**

(Report prepared by Catherine Bicknell)

#### **PART 1 – KEY INFORMATION**

##### **PURPOSE OF THE REPORT**

To review the Council's pre-application advice service and agree the steps to adoption of a revised service.

##### **EXECUTIVE SUMMARY**

The Council currently offers a non-fee paying pre-application advice service. The quality of information submitted by customers is often sparse and the Council's responsiveness to enquiries has become slow. The Planning Services' Improvement Plan includes the review of the pre-application service as a top priority and the Council's Corporate Management Committee have expressed support for the introduction of fees for the service.

Introducing a revised service would be an opportunity to take a more structured approach, to better manage enquiries, to improve previous response times and generate income.

##### **RECOMMENDATIONS**

**It is recommended that:**

- a) The pre-application advice service be re-launched.**
- b) Arrangements for implementation of the service, including a policy for where exemptions from charging might apply, be delegated to the Head of Planning in consultation with the Planning and Corporate Services Portfolio Holder.**

#### **PART 2 – IMPLICATIONS OF THE DECISION**

##### **DELIVERING PRIORITIES**

The proposals in this report will contribute to our commitment to ensure that the Council delivers its priorities; that resources are effectively managed and utilised to deliver value for money; and that risks are managed and opportunities for improvement are not missed.

##### **FINANCE, OTHER RESOURCES AND RISK**

###### **Finance and other resources**

There are no direct financial costs of implementing the revised service. There will be a

modest level of income generated by introducing fee paying for the service. Based on the number and type of enquiries received in 2012, income might be in the region of £10,000-£15,000pa.

Sufficient staff resource will be needed to meet agreed service standards. This should not be significantly greater than the resource required to provide the current level of service. Although response times will need to be improved, the number of enquiries is likely to fall slightly and the quality of information submitted should improve.

### **Risks**

That service users are unhappy with the introduction of fees for the service provision. This risk can be mitigated by communicating the change in service positively and highlighting the improved level of service that will be delivered. Experience of other Councils indicates that local agents are generally content to pay reasonable fees in exchange for improved certainty of service delivery and more detailed advice.

There is a risk that developers are put off investing in the district by the requirement to pay fees. The risk of this is limited as the scale of fees is very small compared to other costs in the development process. Experience of other Councils indicates that this does not appear to be an issue. Should this scenario occur, it could be mitigated by the Head of Planning being able to exercise discretion over the imposition of fees; fees could be waived in exceptional circumstances. The service can be reviewed after a period of operation and the fees structure amended if desirable.

### **LEGAL**

This Council's constitution delegates the power to set fees and charges associated with providing pre-application advice to the Head of Planning.

### **OTHER IMPLICATIONS**

There are no other significant implications of this proposal.

## **PART 3 – SUPPORTING INFORMATION**

### **BACKGROUND**

The Council currently offers a pre-application advice service. It is a free service that is advertised on the Council's website. Applicants are asked to provide a minimal level of information and the quality of information submitted is variable, often very sparse. The Council indicates that it will respond to enquiries within 20 working days but this standard has not been achieved for some time, with many enquiries on hand being well beyond this timescale.

The Council also answers householders' enquiries asking whether planning permission is needed. This is an informal indication, as a formal determination can only be made through an application for a certificate of lawfulness. This service is also currently offered free of charge and could be incorporated in the pre-application advice service.

The Council's Corporate Management Committee held on 3<sup>rd</sup> January 2013 supported the idea of introducing fees for this service. It resolved that *'The Council supports the principle of maximising opportunities to introduce new fees and charges such as introducing a reasonable charge for pre-application advice on planning applications thereby both maximising income and assisting applicants through the planning process'*.

The Planning Service's Improvement Plan, adopted as part of the FSR process identifies the review of the pre-application advice service as a priority 1 project.

National advice on best practice is for Councils to engage positively in giving pre-application advice and to set out clearly their schemes, including charging regimes. A review of the practice of other Councils shows that most offer and charge for the service. The benefits of adopting a fee-paying service identified by other Councils include:

- Ability to recover at least some of the cost of providing the service;
- Quality of pre-application submissions improved as charging focussed the minds of applicants;
- Improved quality of planning applications and possible reduction in the number of invalid applications submitted;
- Structured approach improved response times and promoted internal efficiencies.

An alternative 'self-help' route will be available for customers. Information on the Council's website and at the Council offices will be reviewed and developed and initial informal advice will be available to visiting customers.

A policy to allow for fees to be waived for schemes of particular importance to economic regeneration of the district will be developed and applied.

## **THE PROPOSED SERVICE**

### **Engagement**

The scheme has been developed in consultation with staff who will operate the service. It is also proposed to hold a Planning Agents' Forum where the draft scheme can be shared and suggestions gathered from customers.

### **The Scheme**

The proposal is to offer a service with the following features:

- Written advice in relation to all relevant planning matters and the planning merits of the proposal;
- Information on key national planning policy/guidance and development plan policy;
- Advice on the necessary documents to be submitted with any future planning application;
- Details of the likely Section 106 obligations to be made by a developer (applies to larger schemes);
- A written response within 30 working days (or longer by agreement);
- Assistance with the validation of an application following a pre-application advice

request.

The proposed fee structure being considered is:

All prices include where necessary a site visit and one meeting (usually one hour).

**Small scale proposals - £35**

- Householder extensions and outbuildings
- Adverts/Signs
- Works to domestic listed buildings

**Dwellings (new development and conversions of existing buildings)**

- 1 - 4 units = £100
- 5 - 9 units = £400
- 10 + units = £750
- 50 + units = £2,500

**Changes of use/operational development**

Change of use - £100

Business and Commercial development/additional floor-space:

- Extensions and alterations less than 100 sq. m. = £100
- Extensions and alterations 100 - 499 sq. m. = £250
- Extensions and alterations 500 sq. m.+ = £1000
- Extensions and alterations in excess of 1000 sq. m. = £2500

**Major development - £2500**

- Developments of sites 1ha or greater in size
- Developments creating 1000sq. m. of floor-space or more
- Development requiring an EIA

Major pre-application proposals will include up to 3 meetings. Any further meetings required will be charged an additional £50 per hour or part thereof.

**Timescales**

- Agents' Forum will be held during February.
- Drafting information and publicity during March
- Launch of new scheme April 2013

**BACKGROUND PAPERS FOR THE DECISION**

None

**APPENDICES**

None