

AGENDA ITEM NO.

ARUN DISTRICT COUNCIL

REPORT TO AND DECISION OF PLANNING COMMITTEE ON 28 JULY 2021

PART A : REPORT

SUBJECT: Review of pre-application planning advice fees

REPORT AUTHOR: Dan Vick

DATE: June 2021

EXTN: x 37771

PORTFOLIO AREA: Development Management

EXECUTIVE SUMMARY: The report recommends changes to the fees charged for pre-application planning advice

RECOMMENDATIONS:

- i) That the pre-application planning advice fees be amended in accordance with the attached report;
- ii) The fee schedule to be implemented on 1 September 2021 after this report is agreed to allow notification to planning agents, changes to the web etc
- iii) That the pre-application advice fees be reviewed 2 years from the date of the changes agreed by this report being implemented.

1. BACKGROUND:

1.1 The current pre-application planning advice system and charging schedule was formulated approximately 10 years ago. The last review of the application fees was October 2018.

1.2 The pre-application planning advice system is designed to give service users the opportunity to get detailed, written advice on proposals so that they have an idea of the likely success of any application that may be submitted. It gives the Council the opportunity to influence schemes prior to submission by providing advice to applicants such that details relating to aspects of the development can be amended and applications received are of a higher quality through raising issues of design and highlighting the relevant policies for applicants to consider.

1.3 The NPPG gives the following advice on fees:-

Local planning authorities, including Urban and Mayoral Development Corporations, may charge for providing discretionary services under [section 93 of the Local Government Act 2003](#). Where charges are made they must not exceed the cost of providing the service. It is important that any charging does not discourage

appropriate pre-application discussions. In this context, local planning authorities need to consider whether charging is appropriate in all cases, given the potential for pre-application engagement to save time and improve outcomes later in the process. Where possible, local planning authorities are strongly encouraged to provide at least a basic level of service without charge.

To ensure transparency, where local planning authorities opt to charge for certain pre-application services, they are strongly encouraged to provide clear information online about:

- the scale of charges for pre-application services applicable to different types of application (eg minor or major and other)*
- the level of service that will be provided for the charge, including:*
- the scope of work and what is included (eg duration and number of meetings or site visits)*
- the amount of officer time to be provided (recognising that some proposed development requires input from officers across the local authority; or from other statutory and non-statutory bodies)*
- the outputs that can be expected (eg a letter or report) and firm response times for arranging meetings and providing these outputs*
- It is also helpful for local planning authorities to provide links to any charges that [statutory consultees](#) may levy for pre-application advice, where this is known.*

Paragraph: 004 Reference ID: 20-004-20180222

- 1.4 The current pre-application planning advice service has a range of fees from free (for commercial applications e.g. business uses, shop fronts etc), £30 for extensions to dwellings, £204 for 1-2 residential units, £380 for 3-9 residential units, £700 for 10-99 residential units, £1,500 for 100-199 residential units. 200 plus dwellings have a minimum charge of £1,500 up to a maximum of £3000 Retail schemes providing a floor space of between 500 and 9,999 sqm attracts a fee of £700 with 10,000 sqm of retail floor space has a fee between £1,500 and £3,000. Additional fees of between £30 to £300 are charged for a meeting.
- 1.5 It was concluded that the Council should not charge for pre-application advice for commercial development in order to try and encourage investment. As noted below, commercial pre-application submissions make up over 20% of the workload and this is a significant amount of work to carry out for no fee income to cover costs.
- 1.6 In 2020, 137 pre-application advice requests were received attracting fees of £54,000. The breakdown for the most popular categories is as follows:-
- 36 (26%) related to household extensions
 - 30 (22%) commercial (free)
 - 23 (17%) 1-2- dwellings
 - 14 (10%) 3-9 dwellings
- 1.7 It should be noted that 137 enquiries would require 2-3 to be issued every week and that 22% of this work was done for free in 2020 (in accordance with our current charging schedule).

- 1.8 Since the fee schedule was originally drafted costs have risen (wages) and more information is required to be included in responses with the advent of numerous neighbourhood plans and additional/more detailed Supplementary Planning Documents such as the Arun Design Guide. Therefore, the service needs to reflect additional time spent.
- 1.9 The time spent on responding to a pre-application planning advice request can vary within each category. For example a simple household request for a single storey extension in an area with no restrictions takes less staff hours than a request for a single story rear extension, dormer windows and garage conversion in a Conservation Area, adjacent to a listed building with protected trees on site. It is therefore necessary to set the fee to be an average of all types of enquiries.
- 1.10 In preparation of this report consideration has been given to the pre-application fees at nearby Council's all of which provide different fee schedules and for some of the categories it is difficult to provide a direct comparison but some are listed below:-
- Household extensions charges go up to £102 (Arun's fee is £30).
 - 1-2 dwellings vary between £140 to £486 (Arun's fee is £204)
 - 3-9 dwellings vary between £255 to £780 (Arun's fee is £380)
 - 10-99 dwellings between £360 to £2000 (Arun's fee is £700)
 - 100 plus dwellings between £700 to £4,500 (Arun's fee is £1,500 for up to 199 dwellings and a maximum of £3,000 for more than 200 dwellings)
 - Some other Council's offer a fee charging service for advice on Listed Buildings (£15 - £470) and trees £30 - £120 which Arun currently do not charge.
- 1.10 The above demonstrates that the charges that Arun has are at the very low end of the scale relative to our peers and a review of fees is required to match the time spent in dealing with such requests to cover costs and to be comparable to other authorities.

2. PROPOSAL(S):

2.1 The key proposals are to change the fee structure by including an element of charging for some commercial schemes and generally the increase the fees for categories previously charged. The fees are broadly in line with other nearby Councils. In some cases, they are significantly less. The main proposed changes are set out below, but a full new fee schedule is attached to this report. It is proposed that these fees are applicable for all applications submitted from 1 September 2021.

- £60 for a household extension instead of £30.
- £300 for schemes of 1-2 dwellings instead of £204
- £720 for schemes of 3-9 dwellings instead of £380
- £1,500 for schemes of 10-99 dwellings instead of £700
- £3,000 for schemes of +100 dwellings instead of £1,500

Some new fees are proposed to be introduced:-

- Development in the curtilage of a dwelling house that is a Listed Building - £70
- Shop fronts £40 - (previously free) unless the shop is part of a Listed Building (£60)
- Food retailing schemes under 500 sq.m. (new build or change of use) £200 (previously free)
- Commercial floorspace up to 999sq.m (including change of use and use of land for solar farms etc) £400 – previously free
- Commercial floorspace up to 1000sq.m – 4999sqm - £720 (previously free)
- Commercial floorspace up to 5000sq.m – 9999sqm - £960 (previously free)
- Alterations to commercial buildings that do not result in new floor space - £100 (previously free)
- Some meeting fees have been reduced (now £100 for up to 1 hour). Where the Conservation Officer is required an additional fee is charged.

Some new terms and condition are also introduced.

- Meetings will mainly be held via electronic means (Teams/Zoom). Where regulations permit on site/in office meetings may be possible subject to agreement with the Council and an additional payment of 20% of the meeting fee.
- Meetings will be with the case officer and where the Council considers it necessary an appropriate manager. Where applicants wish staff to attend from services other than Planning Services e.g. Environmental, Health, Engineers, Parks and Green Spaces this may be possible subject to agreement of an appropriate further charge.
- Where the fee does not fit into a defined category a bespoke fee will be agreed between the Council and the applicant.
- These give greater flexibility to the process as previously pre-application advice has been sought and it fell outside of a category – therefore no fee was charged. The change to the meetings detail allows for charging on a bespoke level if applicants require other service areas to attend, the fee for attendance of other service areas would be subject to negotiation.

See attached details for proposed fee schedule.

It is estimated that these proposals would generate an additional £18 - £25k in income annually.

2. OPTIONS:

- Do not provide a pre-application planning advice service;
- Keep the pre-application advice service fees as the currently are;
- Change the pre-app fees in any one of a number of ways too numerous to mention.

4. CONSULTATION:

Has consultation been undertaken with:	YES	NO
Relevant Town/Parish Council		x
Relevant District Ward Councillors		x

Other groups/persons (please specify)		X
5. ARE THERE ANY IMPLICATIONS IN RELATION TO THE FOLLOWING COUNCIL POLICIES: (Explain in more detail at 6 below)	YES	NO
Financial	X	
Legal		X
Human Rights/Equality Impact Assessment		X
Community Safety including Section 17 of Crime & Disorder Act		X
Sustainability	X	
Asset Management/Property/Land		X
Technology		X
Other (please explain)		X
6. IMPLICATIONS: Financial – the changes to the fees (increase to some and introduction of new ones) has the potential to raise income. There is a possibility that the increase in fees may result in less people making pre-application requests therefore reducing fees. Sustainability – the use of the pre-app system helps raise planning policies relating to sustainability so these can be included in developments.		

7. REASON FOR THE DECISION:
 The planning pre-application advice fee schedule is out-of-date and needs amending to reflect the current situation.

8. BACKGROUND PAPERS:
 Current pre-app charging schedule
<https://www.arun.gov.uk/download.cfm?doc=docm93jjm4n12935.pdf&ver=13075>