

Agenda item:

Decision maker: Cabinet Member for Planning, Regeneration and Economic Development, 9th April 2014

Subject: Introduction of pre-application charging

Report by: City Development Manager

Wards affected: All

Key decision (over £250k): No

1. Purpose of report

- 1.1 This report sets out the process for introducing charging for pre-application advice. It seeks approval for a charging schedule and following consultation the introduction of a charging schedule from 6th May 2014.

2. Recommendations

The Cabinet Member is recommended to:

- 1. Approve 6 May 2014 as the start date for the introduction of pre-application charges.**
- 2. Authorise the City Development Manager, following consultation, to make reasonable changes to the charging schedule in consultation with the Cabinet Member for Planning, Regeneration and Economic Development.**

3. Background

- 3.1 The City Development teams provide pre-application advice as an integral part of the overall service to a host of customers wishing to carry out different types of development within the city. Although engagement / discussions prior to the submission of a planning application is not a statutory requirement (and historically has not been charged for), it is general considered best practice to deliver such advice as it contributes to higher quality development, reduces risk and uncertainty for developers / applicants and helps promote growth and inward investment.
- 3.2 The practice of pre-application engagement is now also firmly encouraged in the National Planning Policy Framework (NPPF). Pre-application engagement is considered by the government to be an essential requirement on both planning departments and developers in order to secure developments that improve the economic, social and environmental conditions of an area.
- 3.3 The provision of pre-application advice is a discretionary service and has not been charged for to date. Due to the significant benefit that can be achieved for this early engagement considerable time is currently spent on pre-application advice and

guidance. A number of other authorities in the Hampshire area already charge fees for pre-application planning advice and it is also common practice throughout the country. The council has the ability, through the Local Government Act 2000, to apply a charge for this service. The introduction of pre-application charging was considered by the Cabinet, at its meeting on 11th November 2013, as part of the Revenue and Budget 2014 / 2015 report and the proposal to introduce pre-application charging for advice was accepted.

3.4 Whilst the introduction of pre-application charging would produce an income it would also provide a structured approach for developers / applicants and council officers in the way the advice is sought and given.

The benefits of a structured pre-application service include:

- providing an understanding of the relevant issues, opportunities and constraints, planning policies and other material considerations associated with a proposed development;
- working collaboratively and openly with interested parties at an early stage to identify, understand and seek to resolve issues associated with a proposed development;
- discussing the possible mitigation of the impact of a proposed development including measures that might be secured through planning obligations;
- identifying the information required to accompany a formal planning application, thus reducing the likelihood of delays at the validation stage;
- providing more certainty of outcome to developers, and
- increasing the likelihood of developing a scheme that is capable of being implemented.

3.5 Proposed timetable

Date	Stage
January - March 2014	Research / formulating schedule and procedures
April 2014	PRED approval / consultation / finalise implementation
May 2014	Introduce charging schedule

Factors for Consideration

3.6 Due to the significant advantages associated with the provision of pre-application advice the City Development Manager considers that a good, well-structured pre-application service could play a key role in enabling the delivery of sustainable development and growth within the city. The introduction of a structured system with charging and service standards will ensure that this part of the service is as efficient and effective as possible.

- 3.7 Certain elements of the service will remain free of charge such as telephone advice and the reception service available via the ground floor of the civic offices (although the way this element is delivered will be subject to further review). Planning application fees will also remain chargeable according to the nationally regulated level of charging.
- 3.8 The pre-application service will seek to raise complex or difficult issues at an early stage enabling these issues to be resolved prior to the submission of an application. The service may also be used to confirm to a customer whether planning permission is required, (although such an opinion would be expressed as an informed view rather than a legal determination).
- 3.9 To ensure that the service is provided in an efficient manner, developers will be required to provide sufficient information about a scheme to enable advice to be given. The amount of information required will be set out in supporting guidance produced by the City Development Service, which will be available in various formats, including on the council's website.
- 3.10 All pre-application submissions from developers / applicants can be provided on paper or electronically. In addition, a new website (with forms and an online payment system) has been developed and it is envisaged that most applications will come via this route. It is intended that the introduction of the new website will help to provide a pre-application system that is efficient, clear, easy to use and customer friendly.
- 3.11 For larger proposals a meeting (or meetings) will be held with the developer. The developer will be required to provide explanatory information prior to their meeting, such as an analysis of the character of the area, and an assessment of the constraints and opportunities of the site. This information will be used as a means of ensuring that all relevant issues are identified early in the discussion and they are properly considered in the development of the scheme. This will improve the quality of formal applications and more importantly, it will improve the quality of the schemes as they are being proposed, and ensure that all issues are addressed. It is more likely that by having the additional information at an earlier stage there will be less likelihood that something would be identified during the life of an application that prevents or challenges the delivery of the scheme.
- 3.12 Written confirmation of the advice given will be provided (which is set out in the charging schedule), for all pre-application advice where a charge has been made.
- 3.13 The City Development team gives planning advice and guidance to a number of other services within the council, it is not envisaged that there will be a charge to internal customers.

Fees

- 3.14 The following fee schedule and service provided are proposed:



Type of advice	Service provided	Fee
<p>Householder and small developments -</p> <ul style="list-style-type: none">proposals to alter or extend a single house or a single flat including where the property affected is a listed building;shopfronts;advertisements. <p>Exemption from payment would apply for alterations, extensions etc to a dwelling house for the benefit of a registered disabled person</p>	<p>A written response will be provided within a set target date (currently 15 working days).</p> <p>Meetings would be an additional charge and a site visit is at the discretion of the case officer and is not guaranteed.</p>	£40
<p>Minor development -</p> <ul style="list-style-type: none">residential conversions up to 4 residential units with no new extensions;change of use with no increase in floorspace;mixed use with no increase in floorspace;telecommunications equipment;air conditioning / ventilation equipment;amendment to previously approved schemes;discharge of conditions attached to previously approved schemes.	<p>A written response will be provided within a set target date (currently 15 working days).</p> <p>Meetings would be an additional charge and a site visit is at the discretion of the case officer and is not guaranteed.</p>	£250
<p>Medium development -</p> <ul style="list-style-type: none">residential new build or conversion with extension relating to 1-9 residential units;non-residential new build or conversion with extension where the increase in floorspace is less than 999sqm.	<p>A written response will be provided within a set target date (currently 15 working days).</p> <p>A one hour meeting will be provided. Additional meetings would be an additional charge. An unaccompanied site visit will be undertaken by the case officer.</p>	£400



Type of advice	Service provided	Fee
Major development - <ul style="list-style-type: none">• 10 or more residential units;• 1000sqm or more of non-residential floorspace. Developers can elect to use a 'Planning Performance Agreement' (PPA) for schemes depending on the complexities of the proposal and site.	A written response will be provided within a set target date (currently 15 working days). A one hour meeting will be provided. Additional meetings would be an additional charge. An unaccompanied site visit will be undertaken by the case officer.	£600
Planning Performance Agreement (PPA)	A bespoke service will be provided including written advice, meetings and an agreed timetable for any subsequent planning application.	An estimated cost will be provided per application.

Consultation

- 3.15 If the Cabinet Member approves the introduction of pre-application charging, consultation with regular users will start in April and if necessary the process will be further modified and tested. Council officers will also be briefed during April 2014. It is the intention to introduce the pre-application charging scheme on the 6th May 2014.

4. Reasons for recommendations

- 4.1 The council has accepted the principle of introducing pre-application charging for planning advice as part of the Cabinet Revenue and Budget 2014 / 2015 report. This report sets out the advantages of introducing this system and proposes a charging structure.

5. Equality impact assessment (EIA)

- 5.1 A preliminary EIA has been completed which shows that there will not be a disproportionate impact on any equality group as a result of the proposals and so a full EIA is not necessary.

6. Head of legal services' comments

- 6.1 Under its general powers provided through the Localism Act 2011, the council may introduce charging for advice given to prospective developers before any formal planning application is submitted. Early pre-application discussion of development proposals will lead to improved quality of applications, and reduce delays in the more formal and statutory processes of determining the applications. It will be necessary to ensure that the documents and website guidance explaining the scheme is 'user friendly'. Developers using the service should be able to

understand that nothing from pre-application discussions would have an effect to bind the council to a particular decision on particular issues associated with a development, or in respect of their planning application.

7. Head of finance’s comments

7.1 A budget saving of £10,000 was approved in February 2014 to be achieved through the introduction of charging for pre-application planning advice. Previously this advice has been given free of charge. Historically the number of requests for pre-application planning advice has not been formally recorded, it is anticipated, however, that sufficient income will be generated to meet the savings target.

The charging rates proposed are comparable to those being charged by other authorities locally and across the country and PCC will be the last council in the Hampshire area to introduce costs. It is therefore important that these charges are comparable with other organisations and are of level that will not deter applicants from seeking early advice.

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Signed by City Development Manager

Background list of documents: Section 100D of the Local Government Act 1972

The following documents disclose facts or matters, which have been relied upon to a material extent by the author in preparing this report:

Title of document	Location
None.	

The recommendation(s) set out above were approved / approved as amended / deferred / rejected by on

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Signed by: