

BRECKLAND DISTRICT COUNCIL

Report of: Councillor Gordon Bambridge – Executive Member for Planning

To: Cabinet 13 January 2020

Author: Simon Wood – Director of Planning and Building Control

Subject: Paid pre-application planning service and charges

Purpose: To agree the introduction of a paid pre-application planning service

Recommendation(s):

- 1) That Cabinet agree the introduction of a paid pre-application planning service and the inclusion of the fees within the Council's Fees and Charges Schedule for commencement from 1st April 2020.

1.0 BACKGROUND

- 1.1 The Local Government Act 2003 and specifically Section 93 gives Local Planning Authorities discretionary power to charge for services such as pre-application advice. Pre-application engagement offers significant potential to improve the efficiency and effectiveness of the planning application system and improve the quality of planning applications and their likelihood of success.
- 1.2 The Peer Review by the Planning Advisory Service carried out in March 2018 indicated that a pre-application service, paid for by the applicant, can be cost – effective and reduce unnecessary delays through deferral of large applications because the pre-application process deals early on with key policy issues. It concludes that this may be an initiative that Breckland would find useful.
- 1.3 Many local planning authorities provide a paid up pre-application service including several within Norfolk and Suffolk, including Kings Lynn and West Norfolk, North Norfolk, Norwich, West Suffolk and South Norfolk.
- 1.4 Pre-application engagement is considered to have the following benefits:
 - Sets out the context of planning policies and other material considerations;
 - Early consideration of issues including planning obligations required;
 - Discussion about conditions and other means of mitigation;
 - Identifies information to be provided;
 - Can initiate a Planning Performance Agreement.
- 1.5 Whilst the provision of pre-application advice cannot guarantee a grant of planning permission as the outcome, it can offer valuable guidance in formulating an application and it can assist Applicants in understanding the chances of obtaining planning permission and where problems may arise. It is likely to result in a quicker application process.
- 1.6 It is suggested that a sliding scale of charges for pre-application services applicable to different types of application be introduced. The level of information necessary for

effective pre-application engagement will vary depending on the scale and nature of the proposed development but the intention is to provide comprehensive advice including relevant legislation, Government information and planning policies and detailed advice on design, layout and other matters for all submissions.

- 1.7 It is important in providing a paid service that sufficient resources are in place to ensure that the service can be carried out effectively and efficiently. At present major pre-application enquiries are carried out in this manner. It is therefore proposed that this is introduced from 1st April 2020.
- 1.8 Additional capacity will be required for the minor and householder applications. It is envisaged that a full-time dedicated officer would need to be brought in to meet the demand. This would initially be funded through the Planning Fees uplift reserve and then once the service is established the fees generated by the service are expected to cover the costs.
- 1.9 Once the additional capacity is put in place the service can be expanded to cover minor, householders and other applications.

Proposed schedule of charges

- 1.10 Research has been carried out into the charges established by other Local Planning Authorities including those locally in Norfolk. Based on this investigation the following fees are proposed:

Application Type	Development Description	Officer Response	Fee (including VAT)
Householder	Extensions/Alterations	Research and written letter	£100
Minor Applications	1-9 dwellings or up to 999 square metres of non-residential	Research, 1 hour meeting and written letter	£360
Larger Scale Minor Applications and Smaller Scale Major Applications	10-49 dwellings or between 1000 and 4999 square metres of non-residential	Research, liaison with consultees, 1 hour meeting and written letter	£2400
Major Applications of Significance	50 dwellings or 5000 square metres of non-residential plus	Planning Performance Agreement	To be negotiated

All site inspections (except for householders) would be charged at an additional £240 per hour including VAT. Householder visit would be a flat fee of £50.

- 1.11 It must be made clear that pre-application advice provided by a local planning authority cannot pre-empt the democratic decision-making process or a particular outcome in the event that a formal planning application is made. Central Government does however advise that it can be a material consideration to be taken into account and given weight in the planning application process.
- 1.12 It is also important to point out that any views or opinions are given in good faith, without prejudice to the formal consideration of any planning application, which will be subject to

public consultation and, potentially, a decision by the Planning Committee. As a result, officers cannot give guarantees about a final decision on a planning application.

- 1.13 However, the written advice is considered when determining future applications, if an application is made within three years. The quicker a planning application can be submitted after pre-application advice the better, as there can be changes to the physical circumstances of the site, the planning status of the surrounding land (by way of a separate grant of planning permission) and policies such as through the emergence of a new Local Plan. The strength of pre-application advice may therefore be reduced over time.

2.0 **OPTIONS**

- 2.1 That the introduction of a paid pre-application planning service be phased in from 1st April 2020.

3.0 **REASONS FOR RECOMMENDATION(S)**

- 3.1 To enable the pre-application service to be introduced.

4.0 **EXPECTED BENEFITS**

- 4.1 The introduction of a paid pre-application service will enable the planning service to provide detailed advice on planning applications. It will help speed up the planning process, enable value to be added to development proposals and provide more certainty to applicants.

5.0 **IMPLICATIONS**

In preparing this report, the report author has considered the likely implications of the decision - particularly in terms of Constitutional & Legal; Contracts; Corporate Priorities; Financial; Staffing. Where the report author considers that there may be implications under one or more of these headings, these are identified below.

5.1.1 **Constitution & Legal**

The Legal basis for imposing these charges is set out within the report.

5.2 **Contracts**

- 5.2.1 The service will be carried out by Capita as part of the Planning Service Agreement.

5.3. **Corporate Priorities**

- 5.3.1 The proposal supports the Council's Priorities.

5.4 **Financial**

- 5.4.1 Financial implications are covered within the report.

5.5 **Staffing**

- 5.5.1 Staffing details are covered within the report.

6.0 **WARDS/COMMUNITIES AFFECTED**

- 6.1 All

7.0 **ACRONYMS**

7.1 None

Background papers:- None

Lead Contact Officer

Name and Post: Simon Wood – Director of Planning and Building Control
Telephone Number: 01362 656805
Email: simon.wood@breckland.gov.uk

Key Decision: No

Exempt Decision: No

This report refers to a Discretionary Service.