

PROPOSALS FOR CHANGES TO PLANNING APPLICATION FEES IN ENGLAND

Lead Officer: Tony Pomfret – Development Control Manager

To inform Members of proposals for changes to the Planning Application Fees in England and to agree the Council's formal response.

Recommendation: That the proposals be supported with the attached responses at para.1.5 constituting the Council's formal response.

Resource Implications: Nil

1.0 SUPPORTING INFORMATION

- 1.1 On 15 November 2010 the Secretary of State issued a consultation paper on proposed changes to the planning application fees regime, with the aim of decentralising responsibility for setting planning fees to the Local Planning Authorities.
- 1.2 Recent government research suggests that the majority of Local Planning Authorities are failing to recover costs from fee income whilst some are actually generating more income through charging fees than it costs to process applications. As the fees are currently set nationally, they do not take into account differing local circumstances and market conditions.
- 1.3 Proposed changes to the current planning application fees regime could include charging for applications that are resubmitted following withdrawal or refusal, or higher fees for retrospective planning applications. In addition applications which are not currently charged for, such as Listed Building consent and Tree Preservation Order applications, could in future require a fee if the Local Planning Authority chooses to charge for this.
- 1.4 A copy of the questions that the Department for Communities and Local Government is requesting a response on from Local Planning Authorities is listed below, along with the Council's proposed answers. This response is required by 07 January 2011.

1.5 In response to the questions raised, the Council's recommendations are as follows: -

- 1) Do you agree that each local planning authority should be able to set its own (non-profit making) planning application fee charges?

Agree

- 2) Do you agree that local planning authorities should be allowed to decide whether to charge for applications that are resubmitted following withdrawal or refusal?

Agree – resubmitted applications can require the same level of work involved as the original submission.

- 3) Do you agree that local planning authorities should be able to set higher fees for retrospective planning applications?

Strongly Agree – this would potentially act as a deterrent for unauthorised development, and would also account for enforcement works normally associated with retrospective applications.

- 4) Are there currently any development management services which are not currently charged for but should require a fee?

Yes – Listed Building and Conservation Area consent applications and Tree Preservation Order applications. All require the same amount of work, consultation and notification as other applications for which fees are currently charged.

- 5) Are there any development management services which currently require a fee but should be exempt from charging?

No

- 6) What are the likely effects of any of the changes on you, or the group or business or local authority that you represent?

Potentially a positive effect to allow the local authority to charge what we feel is necessary for each type of application taking account of prevailing local economic factors.

- 7) Do you think there will be unintended consequences to these proposals?

One consequence may be that neighbouring authorities will attempt to 'undercut' other authorities in order to attract additional development to

their area. It also might create confusion with different authorities charging different fees in other areas.

- 8) Do you have any comment on the outcomes predicted in the Impact Assessment, in particular the costs and benefits (See Annex B)?

With regard to the 3 options (Option 1 – Decentralisation, Option 2 – Cap on maximum fees, Option 3 – Maintenance of centrally-set fees (with a 10/15% fee increase)) the Council's preferred choice would be option 1. However either of the other options would be acceptable, as they would/could include a small increase in fees to cover the additional inflationary cost since the previous changes to the fee regulations.

Contact Officer:

Simon Blacker – Planning Officer

Background Papers:

Planning Costs and Fees Final Report – CLG

Proposals for changes to planning application fees in England Consultation - CLG