

PLANNING FEES IN ENGLAND: PROPOSALS FOR CHANGE

Local authorities need to be resourced if they are to continue to improve the operation of the planning system and provide a better service for all. Accordingly it is proposed to increase the current fees. The paper outlines 2 main options (the third being no change) :

- to increase fees across the board by 40% with only a £10 increase for householder applications;
- or to increase fees by 25% with a £10 increase for householders (and this is favoured in the report).

Common to both these options would be the removal of the maximum fee cap (currently £50,000), and the introduction of a new fee for when a local planning authority is requested to certify that a planning condition has been 'discharged' (i.e. fulfilled).

Householder fees

In either case these would rise from £135 to £145 to extend or alter a dwellinghouse, or to carry out work within the curtilage.

Removal of fee cap

At present this is £50,000 and the proposal would allow local planning authorities to cover the costs of processing the largest proposals.

Fee for discharge of planning applications

This would appear to be in the form of certification that a condition or conditions have been satisfactorily discharged. However the wording is poor and ambiguous, but it does not appear to be a charge for submitting details to be approved. The proposal is to charge £85 for the provision of this information (£25 where this relates to a householder application) which has to be provided by the local planning authority within 30 days of receipt of the request. The fee would cover any number of conditions, and if other conditions remain to be discharged, a further request and a further fee would be necessary.

Other proposals 'in the pipeline'

These include :

- charging for pre-application work which relates to a Planning Performance Agreement (PPA) (see details relating to PPAs later in this paper), on a cost recovery basis;

- premium service pilot project - charging an additional fee for the guaranteed issue of a decision in less than the standard 13 or 8 weeks (up to 20% on top of the usual fee) – this will be the subject of a pilot study;
- locally-set planning fees – the principle is currently under discussion.

Questions

Q1 Would a fee level increase of 25% be reasonable? Should householder applications be largely shielded from that increase?

Yes, bearing in mind there has been no increase in fees for 2 years, and there has nationally been an improvement in meeting targets by local planning authorities. Householder applications should also be subject to increase but at a lower rate as suggested.

Q2 Would you prefer that fees go up by the full 40% to provide more resources for planning?

Yes

Q3 What are the likely effects of any changes on you, or the group or business or local authority you represent? Will there be unintended consequences do you think?

It would be helpful to receive firm advice from the Government that additional fee income is demonstrably to be expended on planning services or is ring fenced in some way as it is suggested that this will replace the planning delivery grant.

Q4 Performance on development control is currently measured against targets to turn around 60% of major applications within 13 weeks, 65% of minor applications and 80% of other applications within 8 weeks. Given the desire for further service improvements flowing from any fee increase – without perverse incentives – what do you think would be the best form of performance measurement for development control and what should be an appropriate benchmark?

The fee increase, whilst welcomed, does not mean that increased income will cover the cost of providing the service. As there has been no increase for two years this is seen as a ‘catch-up’ and will supplement reductions in the planning delivery grant and for maintaining current performance levels which are generally hitting targets.

Q5 Are current fee maximums serving any useful purpose?

No – at least not from the perspective of a local authority.

Q6 Do you welcome the proposed fees for discharge of conditions? Do you agree this should not apply to conditions imposed on, say listed building consents?

Yes - income from this source would be welcomed as it is a task which is currently carried out by the enforcement team and additional income would assist with resources for this. The monitoring of conditions is also not a task that is necessarily carried out effectively by all authorities, and this should lead to an improvement in this field and encourage more authorities to devote time to it. However there would need to be safeguards against the imposition of spurious conditions in order to maximise fees.

However, the consultation paper is not entirely clear about how this would operate and some work needs to be done on this in order to avoid confusion.

Q7 Will it be useful if the local planning authority can offer a 'premium service'?

Yes – this authority already provides an enhanced service to 'accredited' agents. This ensures that applications received by such agents are 'fast-tracked' with decisions normally being reached within a shorter time period.

In order to provide a premium service it should be a requirement that agents are able to submit valid applications of a high standard.

Safeguards would need to be in place to prevent the impression that permissions could be 'bought'.

Q8 Currently, Government sets planning fee levels. How do you feel in principle about the idea that each local authority should be able to fix its own (non-profit-making) planning charges in future?

The idea is welcomed although there need to be further national increases before the fee earning service becomes self financing. Fees may need to be subject to some form of approval and strict guidance in order to ensure that there are not too many anomalies.

Q9 Do you have any comment on the outcomes predicted in the partial Regulatory Impact Assessment, in particular the costs and benefits?

This appears sound although there will be regional variations in resource use and cultural reaction to development that have cost implications for instance for those in the South East and London. The implications therefore need to be recognised and fully researched.