

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Sustainability, Planning and Climate Change
Portfolio Holder Meeting

8 July 2011

AUTHOR/S: Executive Director Operational Services / Corporate Manager Planning
and New Communities

PRE-APPLICATION PLANNING ADVICE CHARGING STRUCTURE

Purpose

1. To ensure that income generated through a pre-application charging structure is proportionate to the type of advice sought and consistent with proposals to introduce a scheme of charging at Cambridge City Council that include extending the scheme to our joint growth sites.
2. This is a key decision because it raises new issues of policy.
3. Under the Council's Constitution, the Portfolio Holder can approve all changes to fees and charges within policy, and can agree new policies for fees and charges, or a revision to an existing policy where income or net variation of income is estimated to be up to £50,000 per annum.

Recommendations

4. That the Sustainability, Planning and Climate Change Portfolio Holder agrees that:
 - (a) The revised fee structure for pre-application advice set out at **Appendix 1** be implemented from 11 July 2011, with the exception of the growth sites
 - (b) There should be a period of joint consultation for the proposed fee structure for growth sites, with a further report brought in September, in accordance with a timescale agreed with Cambridge City Council.

Reasons for Recommendations

5. The Council has reviewed its charges against those of comparable authorities and the City Council's proposed new scheme, which itself has carried out an assessment of cost and also benchmarked against other councils.
6. The charging structure, set out at Appendix 1, is considered to generate an appropriate level of income that can ensure the service has the necessary resources to provide an appropriate level of advice to our customers.

Background

7. It has previously been recognised that both the quality and timeliness of the delivery of planning decisions is to a large extent influenced by pre-application discussions and advice and that this non-statutory service requires the necessary resources to make it effective.
8. The existing scheme of charging remains that first introduced in 2009 and other than adjustments to take account of inflation and VAT changes has not been revised.

Considerations

9. To date no charges have been levied for pre-application advice on the growth sites (City Fringes, Orchard Park, Cambourne and Northstowe) because many of the posts involved in providing this advice were funded from the Housing Growth Fund. In addition, Cambridge City Council was reluctant to levy a charge, and therefore there would have been inconsistency across our cross-boundary growth sites. Housing Growth Fund was withdrawn from 31 March 2011, and the City Council is now proposing to introduce its own scheme of charging, details of which are set out in **Appendix 3**. The City Council will be consulting on its scheme from July – early September with a view to implementing charges in Autumn 2011.
10. This Council's existing scheme is set out in **Appendix 2** and the revised scheme is set out in Appendix 1.
11. It is proposed to clarify the position in relation to major development such that the existing category of "Strategic Development" is renamed as "Large scale development" with the number of residential units to which it applies amended from over 100 to 100-250, and a new category of Strategic Development of over 250 dwellings inserted. Charges for this category will need to be agreed on the basis of the particular proposed development, and are likely to be secured through a planning performance agreement.
12. For the City Fringe sites a joint approach is proposed with Cambridge City Council an alignment/adjustment of costs on joint schemes may be necessary. Officers have had discussions with their counterparts at Cambridge City Council and this issue may necessitate adjustment to the final fee schedule once consultation has taken place.
13. The County Council has not yet determined whether it will make a charge for the input it makes to pre-application discussions but may opt to do so over the coming months. Officers will work with both councils to ensure that there is clarity over the final proposed charges for service users.
14. It is proposed to introduce a small fee for householder developments enquiries, such as extensions, that currently amount to the most frequent request for pre-application advice and which currently put considerable demands on resources. It is anticipated that the additional income from the revised charging scheme including a forthcoming planning fees review will be sufficient to fund a full time Planning Officer post that would enable the service to better respond to pre-application enquires. It is intended to work with the Agents Forum to develop a set of performance indicators relating to pre-application enquiries.
15. It is proposed that the fee for advice relating to single dwelling schemes be reduced to reflect the difference between the level of complexity, particularly in relation to s.106 contributions, in giving advice on such small scale developments as opposed to those of up to nine dwellings.
16. It is proposed to introduce a fee for pre-application advice for advertisement applications that was omitted from the previous scheme.
17. It is proposed that officers will no longer provide written advice on Permitted Development (PD) Enquires but will advise customers of the Lawful Development Procedure (LDC). Following receipt of a LDC application any advice will be given free of charge. Free advice on PD will continue to be provided verbally through the Duty Officer system.

18. It is proposed that the following types of development will remain at no charge but may be considered at a future review:
- (a) Listed Buildings and Conservation Area Consent
 - (b) Trees
 - (c) Discharge of conditions
 - (d) Small businesses (up to 5 employees)
19. It is proposed that the following pre-application advice will continue to be provided free of charge but with improved definitions for greater clarity:
- a) Proposals put forward by Parish Council's for development they require and relating to functions they exercise
 - (b) Development required for the needs of disabled people (in line with the planning application fee exemption).
 - (c) Permitted development proposals caught by Article 4 directions (a direction removing permitted development rights for specific developments over a particular area e.g. removing the right to erect porches on a row of terraced dwellings where a porch, which would normally not require specific planning permission, may harm the quality of the streetscene).
 - (d) Permitted development proposals that require planning permission following removal of rights by planning condition(s) (i.e. where a condition on a planning permission has restricted development that without the condition could go ahead without needing to first gain specific planning permission).
20. Customer satisfaction with the scheme will be measured by regular surveys of those using the service, as well as seeking feedback at the quarterly planning agents forum. Results from surveys will be included in the performance reports to Sustainability, Planning and Climate Change Portfolio Holder Meetings.

Implications

21. Financial	One proposed new charge is for householder applications. We receive 1000-1300 householder applications per year. The proposed fee is £50 so if half request pre-application advice the additional income will be £25,000. The second key change regards Lawful Development Certificate applications, which will be required for 'permitted development' inquiries. Whilst the fees vary related to the nature of the development we estimate we exist will bring in at least £5,000 per year.
Legal	No direct implications.
Staffing	Potential to recruit additional planning officer related to additional income
Risk Management	Risks will be managed through the Planning and New Communities Risk Register and in particular risk associated with meeting the demands for increased numbers of planning enquiries.
Equality and Diversity	No direct impact.
Equality Impact Assessment completed	No EIA's are completed for specific actions and policies.
Climate Change	No direct implications.

Consultations

22. The Agents Forum was consulted in June regarding the proposal to reduce the charge for a single dwelling, and introduce a charge for householder developments. Agents at the meeting welcomed the reduced charge for a single home, and were neutral regarding the proposed fee for householder developments.
23. Cambridge City Council Officers have been involved in the preparation of the proposed scheme for major, large-scale and strategic developments, and whilst there are currently some differences between the two Councils' schemes in this regard, it is hoped this will be resolved as part of the joint consultation to be undertaken by the two Councils with major developers over the coming months.

Consultation with Children and Young People

24. None.

Effect on Strategic Aims

25. The anticipated additional income will assist in delivery of strategic aims.

Conclusions / Summary

26. The revised charging structure is considered to be a more proportionate approach to the provision of advice. It will help to ensure the necessary resources are in place to provide a better quality service at a reasonable cost to our customers.
27. The charging structure is broadly in line with proposals currently being put forward by Cambridge City Council. Any adjustments/realignment that may be necessary following the consultation with major developers of the growth sites will be reported to the September meeting of the Sustainability, Planning and Climate Change Portfolio holder prior to the implementation of the scheme for the growth sites.

Background Papers: the following background papers were used in the preparation of this report:

Existing Pre-application charging structure (appendix 2)
Cambridge City Council report - "Proposals for the Introduction of Charges for Pre-Application Advice by the Planning Service" (appendix 3)

Contact Officer: Nigel Blazeby – Development Control Manager
Telephone: (01954) 713165

Appendix 1 - Proposed Charging Structure

Development Types	Written advice only (Follow up written advice will not be charged)	Meeting with planning officer (including written follow-up)	Follow-up meeting (including written advice)
Strategic Development – More than 250 dwellings	N/A	By agreement	By agreement
Large Scale Development – Between 100-250 dwellings or for other uses over 5,000 square metres of floorspace or 2 hectares or more in site area.	N/A	£600 plus VAT Total payable £720	By agreement
Major Development – for residential developments of 10-99 dwellings or for other uses between 1,000-4,999 square metres of floorspace or a site area of between 1-2 hectares.	£200 plus VAT Total payable £240	£600 plus VAT Total payable £720	£100 plus VAT Total payable £120
Minor Development – for residential developments of 2-9 dwellings or for other uses below 1,000 square metres of floorspace or a site area of below 1 hectare.	£100 plus VAT Total payable £120	£300 plus VAT Total payable £360	£50 plus VAT Total payable £60
Single dwellings	£60 plus VAT Total payable £72	£95 plus VAT Total payable £114	£50 plus VAT Total payable £60
Householder developments - including extensions or alterations to dwellings or outbuildings and other developments within the residential curtilage.	£35 plus VAT Total payable £42	£50 plus VAT Total payable £60	£50 plus VAT Total payable £60
Advertisements	£35 plus VAT Total payable £42	£50 plus VAT Total payable £60	£50 plus VAT Total payable £60
Listed Buildings and Conservation Area Consent – all advice prior to submission of these application types (not including advice on planning related matters)	No charge	No charge	No charge
Trees	No charge	No charge	No charge
Discharge of Conditions	No charge	No charge	No charge
Small Businesses – Up to 5 employees	No charge	No charge	No charge
Following Outcome of a Lawful Development Certificate Application	No charge	No charge	No charge
Permitted Development – proposals where an application is required due to an Article 4 direction or as a result of planning conditions.	No charge	No charge	No charge
Disabled Persons Requirements – Development must be required for the needs of disabled persons (exemption applies where planning fee would be exempt)	No charge	No charge	No charge
Parish Councils – For development required by and for Parish Councils.	No charge	No charge	No charge

Appendix 2 : SCDC Existing Charging Structure:

Charging Structure

	Written advice only (Follow up written advice will not be chargeable)	Meeting with planning officer (including written follow-up)	Follow-up meeting (including written advice)
Strategic Development For all developments of over 100 residential units. For all other uses: over 5000 square metres or on sites greater than 2 hectares in area.	N/A	£600 plus VAT VAT is £120 Total payable: £720	By negotiation
Major Development For residential development: 10 or more dwellings, or a site area of 0.5 hectares. For all other uses: 1000 square meters or more of floorspace, or where the site area is 1 hectare or more. This includes changes of use of existing buildings.	£200 plus VAT VAT is £40 Total payable: £240	£600 plus VAT VAT is £120 Total payable: £720	£100 plus VAT VAT is £20 Total payable: £120
Minor Development For residential development: one to nine dwellings. For all other uses: new building or change of use of building of up to 999sqm floorspace.	£100 plus VAT VAT is £20 Total payable: £120	£300 plus VAT VAT is £60 Total payable: £360	£50 plus VAT VAT is £10 Total payable: £60
House Extension & Alterations	No Charge	No Charge	No Charge
Listed Building Advice	No Charge	No Charge	No Charge
Tree Advice	No Charge	No Charge	No Charge

The following are exempt to charge:

- People with disabilities
- Charities
- Parish Councils
- Permitted development proposals caught by Art 4 Directions
- Householder developments
- Small businesses (up to 5 employees)
- Works to listed buildings and demolition in conservation areas
- Trees

The charging scheme does not apply to minor householder developments (house extensions and alterations), listed building advice or tree advice.

Proposed Charging Schedule		
Type of Development	Written Advice	One Meeting with relevant Officer(s) (including written follow-up) incl. VAT at 20%
<p>Strategic Development Proposals</p> <p>-Residential application 100 or more units</p> <p>-Other uses/development 5000+sqm or sites of 2 Ha or more.</p> <p>For large-scale strategic proposals that are likely to involve discussions over a period of several months, involving a large development team approach and a series of meetings and letters, bespoke charges will be agreed upon application</p> <p>50+ detailed application for student rooms</p>	N/A	<p><i>Payable £1050</i></p> <p><i>Payable £870</i></p>
<p>Major Development</p> <p>-Residential 10-99 units or sites 0.5 - 1.99 Ha.</p> <p>-Other uses 1000-4999sqm new floorspace or sites 1 - 1.99 Ha including changes of use.</p> <p>-10-49 detailed application for student rooms</p>	N/A	<i>Payable £500</i>
<p>Minor Development</p> <p>-Residential 1-9 units</p> <p>-Other uses up to 999sqm new floorspace</p> <p>-1-9 detailed application for student rooms</p> <p>-Telecommunications</p>	Payable £80	Payable £120
Householder (alterations and extensions to dwellings and flats (but not permitted development queries)	Payable £40	Payable £40 (Verbal advice is free through the Duty Planning Officer)
Listed Buildings	No charge proposed at present	No charge proposed at present
Permitted Development	Pre-application advice not provided	Pre-app not provided
Disability Discrimination Act related works exempt from fees	No charge	No charge
Advertisements	Pre-app not provided	Pre-app not provided