



Report To: Planning Portfolio Holder
Lead Officer: Jo Mills

12 January 2016

Pre-application advice service

Purpose

1. To consider the quality and timeliness of pre-application advice that is now being provided following the review agreed by the Planning Portfolio Holder in February 2015 and to present a new fee schedule for 2016/17. This is to ensure that:
 - (a) Applicants/agents are encouraged to request pre-application advice and continue to receive a high-class service; and
 - (b) Income generated through the pre-application charging structure fully recovers the cost of providing the service.

Recommendations

2. It is recommended that the Planning Portfolio Holder (PPH):
 - (a) Notes the progress made in the provision of pre-application advice; and the planned approach in respect of Development Delivery Agreements;
 - (b) Endorses the principle of a revised fee structure for pre-application advice, with staff costs and inflationary uplifts, details of which will be reported to Cabinet in February 2016, and changes to be implemented from 1 April 2016;

Reasons for Recommendations

3. The delivery of a reliable, well-regarded value for money and cost-effective pre-application advice service is important to help support and facilitate the timely delivery of acceptable and appropriate development.
4. The Council has previously reviewed its charges against those of comparable authorities and the schemes adopted by both Cambridge City and Cambridgeshire County Council. Both these Councils carried out an assessment of cost and benchmarked against other authorities. The existing fee schedule reflects that work.

Executive Summary

5. The Council operates a formal pre-application advice service. In 2014, complaints about the service, particularly in respect of timeliness of providing advice, led to the start of a strategy being put in place to improve delivery of the service. Following the changes endorsed by the Planning Portfolio Holder in February 2015 and issues raised by planning agents, measures have been put in place to address the quality, timeliness and extent of the service. Recent feedback on the service has been largely positive, although there are a number of pre-application advice requests where the response times have been slow. Steps to improve performance have been put in place including cover for vacant posts and enhanced monitoring arrangements.

6. The Planning and New Communities Service Plan 2015-16 income/savings target of £100,000 arising from the Development Control Improvement Plan is expected to be achieved through income from pre-application fees. At the meeting in February 2015, the anticipated income for providing advice was £114,000. From income received to date, an increase of £105,000 above the budgeted figure for 2014/15 is expected.
7. Some increase in fees to reflect an increase in staff costs over the last 12 months and inflation is recommended.

Background

8. Since 2009, the Council has been providing formal pre-application advice to applicants, developers and their agents. This process is intended to speed up the progress of subsequent planning and related applications, improve the quality of development and provide more certainty in the outcome of applications. It also provides the Council with fee income to offset the time providing the service and potentially saves developers wasted effort and costs by not pursuing abortive schemes.
9. On 3 February 2015, the Planning Portfolio Holder considered a report on the quality and timeliness of the pre-application service as well as revisions to the pre-application charging structure. The following was approved:
 - (a) an increase in fees as proposed with a recommendation that Cabinet approves the increase in fees at its next meeting on 12 February 2015 to be introduced on 1 April 2015.
 - (b) the introduction of a one-off meeting service in addition to the existing service;
 - (c) cessation of the existing free written permitted development advice service with the retention of the Planning Duty Officer service to provide up to 15 minutes of free verbal advice; and
 - (d) Implementation of the above changes from 1 April 2015, with a six-month review taking place at the Portfolio Holder meeting scheduled for 10 November 2015.
10. Cabinet subsequently approved the new increase in fees and these were introduced from early April 2015.

Quality, scope and timeliness of the service

11. At the beginning of July 2014, there were some 300 requests for pre-application advice that remained to be closed. A target of no more than 150 is reasonable given the number of new requests received each month. By mid-October 2014 the number of outstanding requests had been halved to approximately 150.
12. Some 600 paid-for requests for pre-application advice were received over the last 12 months. This compares with approximately 550 the previous year. This demonstrates an increasing demand and confidence in the service. Advice has been provided throughout the year, however, the number of on hand cases has risen and currently stands at 223.
13. An update on the delivery of the pre-application service was given at the Agents Forum on 10 October 2015. Despite previous requests from agents for a one-off

meeting service, the Forum was advised of an extremely low take-up rate – barely half a dozen this year. Agents had no comment on this, and did not raise any particular points on the pre-application service.

14. A one-meeting on site (rather than in the office as is the agreed practice) has since been trialled at the request of an agent. This was well received and in principle at least the service could be extended to include site meetings if requested. The fee for this would also take into account travelling time but does not result in any formal written response being provided.
15. Applicants have occasionally questioned the charges for advice relating to one and two dwellings. There is a significant difference between the two charging rates and given the time spent and scope of the advice, this could be rationalised and a single fee category provided for these applications.
16. A number of developers have taken up the opportunity for design workshops as part of their pre-application process, for example, Cambridge Science Park. These meetings bring together the planning officer with the relevant specialist officers such as Urban Design and Landscape, depending on the type of proposal. The workshops help shape and assess the proposed scheme at an early stage. Feedback so far has been excellent and the service has generated over £7,500 income this year.
17. Applicants/developers continue to be encouraged to use the Design and Enabling Panel where appropriate and pay the relevant fee to ensure this is a cost-neutral service. Customer satisfaction questionnaires are sent out to all applicants who use the panel; feedback to date is very good based on a 50% response rate.
18. At present, Planning Performance Agreements (PPA's) are used on the strategic growth sites, and are being introduced for major applications across the service. This year, PPA's have been used for Northstowe Phase 2, North West Cambridge, Girton College and the Hinxtton Genome Campus. The agreements have been used to secure an agreed programme with clear milestones for determination of the planning application as well as covering pre-application advice. In view of this, it is proposed that the Council introduce the term 'Development Delivery Agreement' (DDA) rather than Planning Performance Agreement. This allows and encourages a focus on delivery across the full planning process through to discharge of all conditions and construction.
19. Moving forward in 2016, our intention is to make greater use of DDAs to enable us to work more closely with applicants. This will help identify key issues and enable all parties to agree a programme of work with set milestones including committee dates, and approaches to community engagement. This in turn should help us to plan resources and to co-ordinate input from Health and Environmental Services and other consultees. The development of this approach will form part of the Planning and New Communities Service Plan 2016/17.
20. The decision not to continue with a free written permitted development advice service has not led to any complaints or identified drop in the quality of general service provision. Applicants can still obtain up to 15 minutes free verbal advice via the Duty Officer system, self-serve by using the Planning Portal or seek a formal determination by submitting an application for a Lawful Development Certificate ("LDC").
21. An appointment system has been introduced to the Duty Officer system. This allows the Duty Officer to prepare before returning calls or meeting customers in reception and results in more informed and comprehensive advice being offered. There were

some initial issues over the booking system, but these were resolved quickly. At present the service is provided on mornings only, and this is being kept under review.

22. With the introduction of the new pre-application fees in April 2015, information on the Council's website was updated and improved. The recent changes to the Council's website provide a further opportunity to improve the published advice and this will be also be part of the Planning and New Communities Service Plan 2016-17.
23. The Pre-Application Advice Service is an established aspect of the Council's planning service. Demand for the service has increased since the new charging regime was introduced in April 2015, and there is good feedback on level of communication and quality of advice. However, there have been high demands upon the service, particularly with the high number of complex applications, and response times have been slow for some customers. The quality, scope and timeliness of the service will continue to be monitored and reviewed in order to make sure that the overall quality is as high as possible. The aim will be to reduce the on hand number of cases down towards the target of 150.

Fees

24. It is proposed that an uplift be applied to the level of fees. This is to take account of increased staffing costs and inflation. Issues such as market supplements and National Insurance contributions need to be taken into account. It should be noted that the standard pre-application advice and PPA's have been costed so that actual costs are reimbursed, as far as possible. Customers have indicated that they are more willing to pay if there is quality and timeliness in the pre-application service.
25. The actual increase for each fee category needs to accurately reflect current staff costs. Further work therefore needs to be done to provide the up to date figure and a revised fee schedule produced. This will be prepared for approval by Cabinet in February 2016 as part of the budget report.
26. The various fee categories appear to have worked well having been revised in April 2015. Generally, no customer concerns have been raised. The one category where some change might be warranted is for requests for advice on schemes for two dwellings. A small number of applicants have suggested the fee for two dwellings is too high given the perceived differences in time spent on requests for one and two dwellings.
27. Officers have considered the implications of such a change but note that even with a revised single category fee there would be resultant loss of pre-application income. There have still been a reasonable number of requests for two dwellings and in the circumstances no change to this, or any other, fee category is warranted.
28. The following pre-application advice will continue to be provided free of charge:
 - Development for or on behalf of parish and community councils
 - Development required for the needs of disabled people (in line with the planning application exemption fee).
 - Permitted development proposals caught by Article 4 directions (a direction removing permitted development rights for specific development 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 street scene).

- Permitted development proposals that require planning permission following the removal of rights by planning conditions(s) (i.e. where a condition on a planning permission has restricted development that without the condition could go ahead without needing to first obtain specific planning permission such as the conversion of an integral garage to a living area.)
- Advice on trees

Options

29. The following options are suggested:

- To continue with the existing schedule of charges;
- To increase fees to take account of increased staff costs and inflation at 1.4%
- To revise the fee categories to introduce a fee for 1-2 dwellings;
- To implement a new fee schedule. It is suggested these increases are applied on or after 1 April 2016

Implications

30. In the writing of this report, taking into account financial, legal, staffing, risk management, equality and diversity, climate change, community safety and any other key issues, the following implications have been considered:

Financial

31. The Planning and New Communities Service Plan 2015-16 income/savings target of £100,000 arising from the Development Control Improvement Plan is expected to be achieved through income from pre-application fees. From income received to date, an increase of £105,000 above the budgeted figure for 2014/15 is expected. This amounts to a surplus of £5,000 above the identified savings target.
32. The removal of the free written permitted development advice has resulted in 128 LDC applications over the last 12 months. This is a 35% increase over the previous year and has represented an additional increase in planning fee income of approximately £3,000. This type of application means that applicants now receive a formal determination rather than an informal view and this gives greater certainty as to the lawfulness of their property.
33. Consumer Price Inflation for the year to 30 November 2015 was just 0.1% according to the latest figures released on 15 December 2015 by the Office of National Statistics. However, where appropriate the Council has uplifted the 2016/17 budgets to reflect inflation, a 1.4% inflation figure has generally been applied including the Medium Term Financial Strategy (MTFS). This is therefore a more appropriate uplift for the planning pre-application fees, should an increase be justified.
34. The above fees do not include the extended use of PPAs/DDAs. These have now started to be used on a number of larger sites. This was previously predicted to bring in an additional income of approximately, £30,000. To date, £10,000 has been paid for advice on the growth sites with an invoice of a further £21,000 shortly to be issued for the North West Cambridge Site.
35. The extended use of Development Delivery Agreements is predicted to bring in an additional income. Trajectories across the department have not yet been compiled,

although a pre-application income of £600,000 is predicted for 2016/17 from the growth sites which will include Northstowe, Bourn Airfield and Waterbeach.

Legal

36. None.

Staffing

51. None.

Risk Management

52. 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

53. None

Climate Change

54. None

Consultation responses (including from the Youth Council)

55. Consultation has taken place with the Agents Forum and the use of feedback questionnaires. The responses are identified and considered between paragraphs 30 and 34 above.

Effect on Strategic Aims

Aim 1 - Engagement: Engage with residents, parishes and businesses to ensure we deliver first class services and value for money.

56. An improved and quality pre-application advice service will help deliver a first class and value for money planning service.

Aim 2 - Partnerships: Work with partners to create opportunities for employment, enterprise, education and world-leading innovation

57. The pre-application advice service is intended to allow developers and planning officers to work together along with parish councils as appropriate to bring forward quality development. This in turn will assist in creating opportunities for employment, enterprise, education and world-leading innovation.

Aim 3 - Wellbeing: Ensure that South Cambridgeshire continues to offer an outstanding quality of life for our residents

58. The delivery of high-quality development will help improve the quality of life for residents.

Background Papers

Where [the Local Authorities \(Executive Arrangements\) \(Meetings and Access to Information\) \(England\) Regulations 2012](#) require documents to be open to inspection by members of the public, they must be available for inspection: -

- (a) at all reasonable hours at the offices of South Cambridgeshire District Council;
- (b) on the Council's website; and

- (c) in the case of documents to be available for inspection pursuant to regulation 15, on payment of a reasonable fee required by the Council by the person seeking to inspect the documents at the offices of South Cambridgeshire District Council.

Report to Planning and Economic Development Portfolio Holder's Meeting on 11 June 2014)
<http://moderngov/ieListDocuments.aspx?CId=600&MId=6233&Ver=4>

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