



SUPPLEMENTARY AGENDA 1

Dear Councillor

PLANNING AND LICENSING COMMITTEE - WEDNESDAY, 31ST JANUARY, 2018

I am now able to enclose, for consideration at next Wednesday, 31st January, 2018 meeting of the Planning and Licensing Committee, the following reports that were unavailable when the agenda was printed.

Agenda No	Item
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7.	<u>Urgent Business</u> (Pages 3 - 8)
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	Planning Fees and Charges Review
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Yours sincerely

Head of Paid Service

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31 January 2018

Planning and Licensing Committee

Planning Fees and Charges Review

Report of: *Nick Howard/Caroline McCaffrey - Team Leader Development Management (Planning)*

Wards Affected: *All*

This report is: *Public*

1. Executive Summary

- 1.1. This report sets out the Council's Planning fees and charges. Planning fees are set by central government.
- 1.2. As per the settlement announcement, the Secretary of State confirmed local authorities will be able to increase Planning Fees by 20 per cent when they commit to spending additional income on their planning services.
- 1.3. Legislation has been updated as of 20th December 2017 stating the increased statutory Fees. These are set out in Appendix A.

2. Recommendation

- 2.1. That members agree the fees and charges as in Appendix A to come into effect from 5th February 2018.**
- 2.2 That members acknowledge the additional income raised from these fees will be re-invested into improve the delivery of the planning service.**

3. Introduction and Background

- 3.1. Local authorities charge for the Planning services they provide. Certain fees and charges such as planning application fees are set by Government and so cannot be changed at the local level. However, 2018-19 Funding Settlement announced on 19th December 2017 that Local Authorities can increase their statutory Planning fees by 20%.

- 3.2. The Housing White Paper made it clear that the 20% uplift in application fees would be conditional on local planning authorities (LPAs) committing to invest the additional fee income into planning service.
- 3.3. The Department for Communities and Local Government (DCLG) invited LPAs to make the commitment. All LPAs elected to make the commitment including Brentwood.
- 3.4. Where LPAs fail to comply with reinvesting the additional income into the service, the Government will consider reducing the fee level for that authority back to the original fee level through a change in regulations.
- 3.5. In addition to increasing Fees, the regulations also
- introduce fees for applications for permission in principle (regulation 3);
 - allow Mayoral development corporations and urban development corporations to charge for pre-application advice (regulation 4); and
 - enable fees to be charged where: (i) an LPA has made a direction withdrawing permitted development rights under article 4 of the GDPO; or (ii) permitted development rights have been withdrawn pursuant to a condition imposed on a planning permission (regulation 5(2)).
 - Certain applications, such as those for listed building consents and demolition of certain buildings in conservation areas, will remain exempt from fees.
- 3.6. Transitional provisions confirm that applications, requests and site visits made before the date on which the Regulations come into will not be subject to the increased fees.

4. Issues, Options and Analysis of Options

- 4.1. The Borough's current fees and charges are set out on the Council's website so that those preparing a planning application or undertaking a Local Land Charges search are informed of rates in advance.
- 4.2. Appendix A of this report sets out the fees and charges for planning applications, pre-application advice, and Local Land Charges.

- 4.3. The increase to Planning Application Fees is expected to generate an additional £90,000 per annum for the Council.
- 4.4. It is planned for this additional income to be reinvested into planning resources and planning services related (e.g. Idox Enterprise) I.T applications to improve the planning delivery service further.

5. Reasons for Recommendation

- 5.1. The legislative change allows the Council to increase fees and improve the Planning Delivery Service to residents and developers

6. Consultation

- 6.1. Discussions with staff, planning agents and the managed service provider for Development Management have assisted in the preparation of this report.

7. References to Vision for Brentwood 2016-19

- 7.1. Proposals in this report support a range of themes in the Council's corporate plan Vision for Brentwood 2016-19. These include providing services that deliver sustainable development, and supporting the Transformation agenda to ensure modern and efficient service delivery whilst considering resources and income generation.

8. Implications

Name/Title: Jacqueline Van Mellaerts, Financial Services Manager
Tel/Email: 01277 312829/jacqueline.vanmellaerts@brentwood.gov.uk

- 8.1 The additional £90,000 of planning income has been captured into the Council's Medium Term Financial Plan. In year budget monitoring will ensure that additional income is invested into improving the service delivery of the Planning department.

Legal Implications

Name/Title: Daniel Toohey, Head of Legal Services and Monitoring Officer

Tel/Email: 01277 312860/daniel.toohey@brentwood.gov.uk

- 8.2 Under section 303 of the Town and Country Planning Act 1990 the Secretary of State may make regulations for the payment of a fee to local planning authorities in respect of applications made to them for any permission, consent, approval, determination or certificate. The present regulations are the Town and Country Planning (Fees for Applications and Deemed Applications) Regulations 1989. The Secretary of State may increase the rate of planning fees under these Regulations and has exercised his powers to do so for the relevant period.

Other Implications (where significant) – i.e. Health and Safety, Asset Management, Equality and Diversity, Risk Management, Section 17 – Crime & Disorder, Sustainability, ICT.

- 8.3 No other implications are identified.

9. Background Papers

- 9.1 The Town and Country Planning (Fees for Applications, Deemed Applications, Request and Site Visits) (England) (Amendment) Regulations 2017.

10. Appendices to this report

Appendix A - Proposed 18/19 Planning & Land Charges Fee and Charges

Report Author Contact Details:

Name: Nick Howard/Caroline McCaffrey - Team Leader Development Management (Planning)

E-mail: nick.howard@brentwood.gov.uk
caroline.mccaffrey@brentwood.gov.uk

**PLANNING AND LICENSING
FEES & CHARGES SCHEDULE FROM 1 APRIL 2018**

DESCRIPTION OF CHARGE	VAT	FEE	CHARGES		CHARGES	
			April 2017-March 2018	April 2018-March 2019	April 2017-March 2018	April 2018-March 2019
			Excl VAT	Inc VAT	Excl VAT	Inc VAT

SERVICE AREA: PLANNING DEVELOPMENT MANAGEMENT

CHARGING AREA: Planning Application Fees

Revised charges from 5th Feb 2018

All Outline Applications

Up to 2.5 hectare, per 0.1 hectare	O	S	462	462	462	462
More than 2.5 hectares	O	S	11,432	11,432	11,432	11,432
Each 0.1 hectare in excess of 2.5 hectares to a maximum of £125,000	O	S	138	138	138	138

Householder Applications

Alterations/extensions to a single dwelling	O	S	206	206	206	206
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Full Applications

Alterations/extensions two or more dwellings	O	S	407	407	407	407
New Dwellings (up to 50) per dwelling	O	S	462	462	462	462
New Dwellings more than 50	O	S	22,859	22,859	22,859	22,859
Each dwelling in excess of 50 to a maximum of £250,000	O	S	138	138	138	138

Erection of buildings (not dwellings, agricultural, glasshouses, plant nor machinery)

Gross Floor up to 40sq m	O	S	234	234	234	234
Gross Floor 40 sq m to 75 sq m	O	S	462	462	462	462
Gross Floor 75sq m to 3750 sq m each 75 sq m or part thereof	O	S	462	462	462	462
Gross Floor more than 3750 sq m	O	S	22,859	22,859	22,859	22,859
Each additional 75 sq m in excess of 3750 sq m to a maximum of £250,000	O	S	138	138	138	138

Erection of building (on land used for agriculture for agricultural purposes)

Gross Floor Space up to 465 sq m	O	S	96	96	96	96
Gross Floor 465 sq m to 540 sq m	O	S	462	462	462	462
Gross Floor 540 sq m to 4215 sq m each 75 sq m in excess of 540 sq m	O	S	462	462	462	462
Gross Floor more than 4215 sq m	O	S	22,859	22,859	22,859	22,859
Each additional 75 sq m in excess of 4215 sq m to a maximum of £250,000	O	S	138	138	138	138

Erection of glasshouses

Gross Floor no more than 465 sq m	O	S	96	96	96	96
Gross Floor more than 465 sq m	O	S	2,580	2,580	2,580	2,580

Erection/Alterations/Replacement of Plant and Machinery

Site Area not more than 5 hectares - per 0.1 hectare or part thereof	O	S	462	462	462	462
Site Area more than 5 hectares	O	S	22,859	22,859	22,859	22,859
Each additional 0.1 hectare in excess of 5 hectares up to a maximum of £250,000	O	S	138	138	138	138

Applications other than Building Works

Car parks, Service Roads or other accesses	O	S	234	234	234	234
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Waste (Use of land for disposal of refuse or waste materials or deposit of amterial remaining after extraction or storage minerals)

Site Area no more than 15 hectares per 0.1 hectare	O	S	234	234	234	234
Site Area more than 15 hectares	O	S	34,934	34,934	34,934	34,934
Each 0.1 hectare in excess of 15 hectares up to a maximum of £65,000	O	S	138	138	138	138

Operations connected with exploratory drilling for oil or natural gas

Site area not more than 7.5 hectares each 0.1 hectare	O	S	508	508	508	508
Site area more than 7.5 hectares	O	S	38,070	38,070	38,070	38,070
Each 0.1 hectare in excess of 7.5 hectares up to a maximum of £250,000	O	S	151	151	151	151

Operations (other than exploratory drilling) for the winning and working of oil or natural gas

Site area not more than 15 hectares each 0.1 hectares	O	S	257	257	257	257
Site area more than 15 hectares	O	S	38,520	38,520	38,520	38,520
Each 0.1 hectare in excess of 15 hectares up to a maximum of £65,000	O	S	151	151	151	151

Operations (winning and working of minerals) excluding oil or natural gas

Site area not more than 15 hectares each 0.1 hectares	O	S	234	234	234	234
Site area more than 15 hectares	O	S	34,934	34,934	34,934	34,934
Each 0.1 hectare in excess of 15 hectares up to a maximum of £65,000	O	S	138	138	138	138

Other operations (not coming within any of the above catergories)

Any site area per 0.1 hectares up to a maximum of £1690	O	S	234	234	234	234
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Lawful Development Certificate

Existing Use or operation	O	S	Same As Full	Same As Full	Same As Full	Same As Full
Existing use or operation - lawful not to comply with any condition or limitation	O	S	234	234	234	234

Proposed use or operation	O	S	Half normal planning fee	Half normal planning fee	Half normal planning fee	Half normal planning fee
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For further clarification on the planning fees please refer to the The Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012 and (Amendment) Regulations 2017

PLANNING AND LICENSING						
FEES & CHARGES SCHEDULE FROM 1 APRIL 2018						
DESCRIPTION OF CHARGE	VAT	FEE	CHARGES		CHARGES	
			April 2017-March 2018	April 2018-March 2019	April 2017-March 2018	April 2018-March 2019
			Excl VAT	Inc VAT	Excl VAT	Inc VAT
SERVICE AREA: PLANNING DEVELOPMENT MANAGEMENT						
CHARGING AREA: Planning Application Fees						
			Revised charges from 5th Feb 2018			
<u>Prior Approval</u>						
Agricultural and Forestry buildings & operations or demolition of buildings	O	S	96	96	96	96
Telecommunications Code Systems Operators	O	S	462	462	462	462
Proposed Change of Use to State Funded School or Registered Nursery	O	S	96	96	96	96
Proposed Change of Use of Agricultural Building to a State-Funded School or Registered Nursery	O	S	96	96	96	96
Proposed Change of Use of Agricultural Building to a flexible use within Shops, Financial and Professional services, Restaurants and Cafes, Business, Storage or Distribution, Hotels, or Assembly or Leisure	O	S	96	96	96	96
Proposed Change of Use of a building from Office (Use Class B1) Use to a use falling within Use Class C3 (Dwellinghouse)	O	S	96	96	96	96
Proposed Change of Use of Agricultural Building to a Dwellinghouse (Use Class C3), where there are no Associated Building Operations	O	S	96	96	96	96
Proposed Change of Use of Agricultural Building to a Dwellinghouse (Use Class C3), and Associated Building Operations	O	S	206	206	206	206
Proposed Change of Use of a building from a Retail (Use Class A1 or A2) Use or a Mixed Retail and Residential Use to a use falling within Use Class C3 (Dwellinghouse), where there are no Associated Building Operations	O	S	96	96	96	96
Proposed Change of Use of a building from a Retail (Use Class A1 or A2) Use or a Mixed Retail and Residential Use to a use falling within Use Class C3 (Dwellinghouse), and Associated Building Operations	O	S	206	206	206	206
Notification for a Prior Approval for a Change of Use from Storage or Distribution Buildings (Class B8) and any land within its curtilage to dwellinghouses (Class C3)	O	S	96	96	96	96
Notification for prior Approval for Change of Use from Amusements Arcades/Centres and Casinos (Sui Generis Uses) and any land within its curilage to Dwellinghouses (Class C3)	O	S	96	96	96	96
Notification for prior Approval for Change of Use from Amusements Arcades/Centres and Casinos (Sui Generis Uses) and any land within its curilage to Dwellinghouses (Class C3) and Associated Building Operations	O	S	206	206	206	206
Notification for Prior Approval for a Change of Use from Shops (Class A1) Financial and Proffessional Services (Class A2) Betting Offices and Payday Loan Shops and Casinos (Sui Generis Uses) to restaurants and cafes (Class A3)	O	S	96	96	96	96
Notification for Prior Approval for a Change of Use from Shops (Class A1) Financial and Proffessional Services (Class A2) Betting Offices and Payday Loan Shops and Casinos (Sui Generis Uses) to restaurants and cafes (Class A3) and Associated Building Operations	O	S	206	206	206	206
Notification for Prior Approval for a Change of Use from Shops (Class A1) Financial and Proffessional Services (Class A2) Betting Offices and Payday Loan Shops and Casinos (Sui Generis Uses) to restaurants and cafes (Class A3) to Assembly and Leisure Use (ClassD2)	O	S	96	96	96	96
<u>Reserved Matters</u>						
Application for approval of reserved matters following outline approval	O	S	Full Fee due or if paid £462	Full Fee due or if paid £462	Full Fee due or if paid £462	Full Fee due or if paid £462
<u>Approval/Variation/Discharge of condition</u>						
Application for removal or variation of a condition following grant of planning permission	O	S	234	234	234	234
Request for confirmation that one or more planning conditions have been complied with - Householder	O	S	34	34	34	34
Request for confirmation that one or more planning conditions have been complied with - Other	O	S	116	116	116	116
<u>Change of Use of a building to use as one or more sepearate dwellings houses or other cases</u>						
Not more than 50 dwellings - each dwelling	O	S	462	462	462	462
More than 50 dwellings	O	S	22,859	22,859	22,859	22,859
Each dwelling in excess of 50 up to a maximum of £250,000	O	S	138	138	138	138
Other Changes of use of a building or land	O	S	462	462	462	462
<u>Advertising</u>						
Relating to the business on the premises	O	S	132	132	132	132
Advance signs which are not situated on or visible from the site, directing the public to a	O	S	132	132	132	132
Other advertisements	O	S	462	462	462	462
<u>Application for a New Planning Permission to replace an Extant Planning Permission</u>						
Applications in respect of major developments	O	S	690	690	690	690
Applications in respect of householder developments	O	S	68	68	68	68
Applications in respect of other developments	O	S	234	234	234	234
<u>Application for a Non-material Amendment following a grant of Planning Permission</u>						
Applications in respect of householder development	O	S	34	34	34	34
Applications in respect of other developments	O	S	234	234	234	234
<u>Application for Permission in Principle</u>						
For each 0.1 hectare of the site area	O	S	402	402	402	402
For further clarification on the planning fees please refer to the The Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012 and (Amendment) Regulations 2017						