

Agenda

Planning and Licensing Committee

Tuesday, 11 December 2018 at 7.00 pm
Brentwood County High School, Shenfield Common, Seven Arches Road,
Brentwood CM14 4JF

Membership (Quorum - 4)

Cllrs Ms Sanders (Chair), McCheyne (Deputy Chair), Chilvers, Haigh, Keeble, Morrissey, Mynott, Nolan, Mrs Pound, Reed, Mrs Slade and Trump

Substitute Members

Agenda

Cllrs Aspinell, Barrett, Mrs Davies, Mrs Fulcher, Mrs Hones, McLaren, Mrs Middlehurst and Wiles

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2.	Minutes of the Previous Meeting		5 - 14
3.	Planning and Building Control Fees and Charges 2019-20	All Wards	15 - 28
4.	Licensing Fees and Charges 2019-20		29 - 36
5.	Statement of Community Involvement Update Report to follow.		

- 6. Response to Basildon Borough Council Revised
 Publication Local Plan and Community Infrastructure Levy
 (Preliminary Draft Charging Schedule) November 2018
 Report to follow.
- 7. Urgent Business

Chief Executive

Town Hall Brentwood, Essex 03.12.2018

Information for Members

Substitutes

The names of substitutes shall be announced at the start of the meeting by the Chair and the substitution shall cease at the end of the meeting.

Where substitution is permitted, substitutes for quasi judicial/regulatory committees must be drawn from Members who have received training in quasi- judicial/regulatory decision making. If a casual vacancy occurs on a quasi judicial/regulatory committee it will not be filled until the nominated member has been trained.

Rights to Attend and Speak

Any Members may attend any Committee to which these procedure rules apply.

A Member who is not a member of the Committee may speak at the meeting. The Member may speak at the Chair's discretion, it being the expectation that a Member will be allowed to speak on a ward matter.

Members requiring further information, or with specific questions, are asked to raise these with the appropriate officer at least two working days before the meeting.

Point of Order/ Personal explanation/ Point of Information

Point of Order

A member may raise a point of order at any time. The Mayor will hear them immediately. A point of order may only relate to an alleged breach of these Procedure Rules or the law. The Member must indicate the rule or law and the way in which they consider it has been broken. The ruling of the Mayor on the point of order will be final.

Personal Explanation

A member may make a personal explanation at any time. A personal explanation must relate to some material part of an earlier speech by the member which may appear to have been misunderstood in the present debate, or outside of the meeting. The ruling of the Mayor on the admissibility of a personal explanation will be final.

Point of Information or clarification

A point of information or clarification must relate to the matter being debated. If a Member wishes to raise a point of information, he/she must first seek the permission of the Mayor. The Member must specify the nature of the information he/she wishes to provide and its importance to the current debate. If the Mayor gives his/her permission, the Member will give the additional information succinctly. Points of Information or clarification should be used in exceptional circumstances and should not be used to interrupt other speakers or to make a further speech when he/she has already spoken during the debate. The ruling of the Mayor on the admissibility of a point of information or clarification will be final.

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The Chair of the meeting may terminate or suspend filming, photography, recording and use of social media if any of

these activities, in their opinion, are disrupting proceedings at the meeting.



Private Session

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♦ P Access

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Evacuation Procedures

Evacuate the building using the nearest available exit and congregate at the assembly point in the Car Park.



Minutes

Planning and Licensing Committee Tuesday, 13th November, 2018

Attendance

Cllr Ms Sanders (Chair)
Cllr McCheyne (Deputy Chair)
Cllr Haigh
Cllr Keeble
Cllr Mynott
Cllr Ms Sanders (Cllr Mrs Pound
Cllr Mrs Slade
Cllr Trump

Apologies

Cllr Chilvers

Substitute Present

Cllr Barrett (substituting for Cllr Morrissey)

Also Present

Brendan Johnson - Essex Highways Authority

Cllr Alan Kingsford - Chairman of Ingrave & Herongate Parish Council

Cllr Colin Foan - West Horndon Parish Council

Officers Present

Surinder Atkar - Planning Solicitor

Zoe Borman - Governance and Member Support Officer
Nick Howard - Development Management Team Leader
Claire Mayhew - Corporate and Democratic Services Manager

Jonathan Quilter - Strategic Planning Manager

Caroline McCaffrey - Development Management Team Leader

Carole Vint - Planning Officer

183. Apologies for Absence

Apologies were received from Cllr Morrisey and Cllr Barratt is substituting and Cllr Chilvers with no substitute present.

184. Minutes of the Previous Meeting

It was **RESOLVED UNANIMOUSLY** that the Minutes of the Planning and Licensing Committee held on 11th October 2018 were approved as a true record.

185. Minutes of the 6.11.18 Licensing Sub Committee

It was **RESOLVED UNANIMOUSLY** that the Minutes of the Licensing Sub Committee held on 6th November 2018 were approved as a true record.

186. SOUTH ESSEX GOLF AND COUNTRY CLUB BRENTWOOD ROAD HERONGATE ESSEX CM13 3LW - APPLICATION NO: 18/01291/FUL. REDEVELOPMENT OF EXISTING COMMERCIAL BUILDING TO PROVIDE 30 DWELLINGS; REPLACEMENT D2 FACILITY (AS EXTENSION TO THE EXISTING CLUBHOUSE); AND ASSOCIATED LANDSCAPING AND CAR PARKING.

The proposal is seeking full planning permission for 30 dwellings and an extension to the golf clubhouse. The residential element of the scheme provides a mix of house types including four 5-bedroom houses, three 4-bedroom houses, nine 3-bedroom houses and 14 apartments, consisting of one and two bedrooms.

The proposal includes a parking provision of 62 car spaces and secure storage facilities for bicycles. Further to the proposed residential development the proposal includes an extension to the existing club house and provides space for a gym facility (Class D2).

The application is a resubmission of a previous refusal currently the subject of an appeal. The Officer advised that out of the three reasons for refusal on the previous application, and having taken advice from Counsel, only those reasons relating to Green Belt could be robustly defended. Therefore in relation to this resubmission, it is considered that the main consideration is the impact of the openness of the Green Belt.

The proposal is to redevelop a brownfield site within the Green Belt. The applicant has reduced the proposed built form compared to the previous application by reducing the size of the extension to the clubhouse. The proposal would represent a 3% reduction on the existing built form (if including the extant permission) which is a positive gain on the effect on the openness of the Green belt.

Essex County Council as Local Lead Flood Authority (LLFA) has submitted a holding objection.

The building was previously used as an internal bowls centre, the use of which has now ceased. In policy terms, the loss of the bowls club has been mitigated by the provision of a new gym and improved golf facilities. The loss of the existing sports building is therefore considered acceptable.

The provision of 30 dwellings will make a not insignificant contribution to the Council's housing requirements.

The proposal will result in a high-quality development which will complement its rural surrounds.

Overall the proposal is compliant with the Framework and the Council's Local Plan polices. The recommendation is therefore to approve subject to a S106 agreement requiring a financial contribution for education and the provision of affordable housing.

Ms Burton, a resident of Herongate & Ingrave, was in attendance and addressed the Committee in objection to the application.

Mr Brown, the agent, addressed the Committee in support of the application.

Cllr Foan of West Horndon Parish Council was present and addressed his concerns regarding parking, access onto the A128 and issues with the highway.

Cllr Kingsford, Chairman from Herongate and Ingrave Parish Council, was also present and spoke in objection of the application, raising concerns of effects on green belt, effect on openness, services, amenity space, carparking and congestion on roads. Also, the further development of agricultural buildings.

Ward Member Cllr Tierney was present and spoke in objection of the application.

Mr Johnson of Essex Highways Authority addressed issues which had been raised concerning the highway and reported there was no evidence to support the highway was dangerous, and no significant added congestion.

Cllr McCheyne **MOVED** and Cllr Trump **SECONDED** to **APPROVE** the application.

Cllr Slade spoke against the application and expressed concerns on lack of affordable housing.

Cllr Mynott expressed concerns regarding the lack of affordable housing included in the development and the effect of building on greenbelt land.

Cllr Mynott proposed a condition, should this application be approved, to read:

"subsequent applications coming in on this site should not take the overall amount of development on this site beyond the amount which is currently theoretically there when the extant permission is included".

Cllr Sanders asked whether a 106 condition could also be added to enable no further houses to be built on this site.

The legal officer advised that such a condition would not meet the appropriate tests for adding planning conditions.

Following a full discussion by Members a recorded vote was taken and members voted as follows:

FOR: Cllr Sanders, Cllr McCheyne, Cllr Trump, Cllr Reed and Cllr Nolan (5)

AGAINST: Cllr Slade, Cllr Pound, Cllr Barratt, Cllr Keeble, Cllr Haigh and Cllr Mynott (6)

ABSTAIN: (0)

The motion to **APPROVE** the application was **REFUSED**.

Cllr Mynott **MOVED** and Cllr Slade **SECONDED** a motion to **REFUSE** the application.

Following a full discussion by Members a recorded vote was taken and members voted as follows:

FOR: Cllr Slade, Cllr Pound, Cllr Barratt, Cllr Keeble, Cllr Haigh, Cllr Mynott (6)

AGAINST: Cllr Sanders, Cllr McCheyne, Cllr Trump, Cllr Reed, Cllr Nolan (5)

ABSTAIN: (0)

The motion was **CARRIED** to **REFUSE** the application on the grounds of H9 and GB1 in that the proposal did not meet the level of affordable housing required under local plan policy, and that the development would result in harm to the openness of the Green Belt and there were no 'very special circumstances' that would clearly overcome that harm.

187. 33-37 HIGH STREET BRENTWOOD ESSEX CM14 4RG - APPLICATION NO: 18/00959/FUL. DEMOLITION OF 35 AND 37 HIGH STREET BRENTWOOD, THE PART DEMOLITION, PART RETENTION OF NO. 33 AND CONSTRUCT OF PART 3 PART 4 STOREY BUILDING COMPRISING FIVE GROUND FLOOR RETAIL UNITS AND 14 NO. RESIDENTIAL UNITS (8NO. 1 BED UNITS; 6NO. 2 BED UNITS). ADDITIONAL CONSTRUCTION OF FIVE STOREY BUILDING TO REAR OF THE SITE COMPRISING GROUND FLOOR SME (FLEXIBLE RETAIL/OFFICE) USE, AND 4NO. 2 BED UNITS.

The site comprises two linked parcels of land, a roughly rectangular plot which covers units 33-37 High Street (plot A), with a ribbon of land extending to William Hunter way, and a triangular plot to the north (plot B) facing William

Hunter Way. Both plots are within the Brentwood town centre and conservation area. The building structures of units 33, 33a and 33b would be retained at ground and first floor level, with internal/external alterations. Units 35 and 37 would be demolished and replaced in their entirety.

Unit 33 would have three storeys including a pitched roof with front facing dormers behind a low parapet. The ground floor would have three retail units, and there would be 3 flats on each of the first and second floors totalling 2 x one bed units and 4 x two bed units - providing a total of 6 residential flats. The total height of the building is 650mm lower than previously proposed.

Unit 35 would have four storeys including a pitched roof with front facing dormers behind a parapet. The ground floor would have one retail unit, and there would be 2 x one bed units on each of the three floors above – providing a total of 6 residential flats. The total height of the building is approximately 1290 mm lower than previously proposed.

Unit 37 would be three storeys, with a front façade of similar proportions to unit 35 but without the pitched roof. It would have retail use on the ground floor, and 1 x two bed unit on each of the floors above. It would provide in total 2 residential flats. The total height of the building is one storey lower, approximately 3135 mm, than previously proposed.

In total, Plot A would retain all five retail units on the ground floor and provide 14 residential units. CGIs submitted with the application (referred to as 'View points') show the High Street elevation to have articulated frontages of finely detailed brickwork with fenestration having generous reveals. The other change is to the material colour of Block A, this variation in the finish provides more visual variety to the scheme. The front elevation has a sympathetic relationship to the massing of its neighbours to each side.

The proposal for Plot B a five-storey building with flexible retail/office use at the ground floor, and four floors of residential units above; each residential floor would provide 1 x two-bedroom unit. The ground floor would also include cycle and bin storage. In total the proposal would provide one commercial unit and four residential units above. The height of this building is the same as previously proposed and it would be mostly brick clad facing William Hunter Way, with a part glazed aluminium curtain wall stair tower to its rear elevation rising just above the main body of the building. There is a minimum of windows to its flanks.

It remains the case that the Council cannot demonstrate a five-year supply of housing land and this proposal would contribute towards it. This weighs in favour of the proposal although the proposal is not reliant on this as it is, as indicated above, acceptable on its own merits.

The recommendation was that this application be approved subject to the conditions contained in the report.

Dr Gomes, a resident of Culyer's Yard, was in attendance and addressed the Committee in objection to the application.

Mr Edgar, the applicant, addressed the Committee in support of the application.

Cllr Slade, Ward Councillor, spoke in objection of the application.

Cllr Mynott, Ward Councillor, addressed the committee in objection to the application referring to design and impact of the conservation area, impact of neighbours of Culyer's Yard and retaining the character of Victorian buildings.

Following a full discussion Cllr Mynott **MOVED** a motion for the application to be **REFUSED** this was **SECONDED** by Cllr Slade.

Mr Howard confirmed that consultation had now taken place with residents at Culyer's Yard, each resident receiving a letter.

Members expressed concern regarding the walkway adjacent to Culyer's Yard which Mr Howard said could be conditioned regarding height and glass.

Following a full discussion by Members a recorded vote was taken and members voted as follows:

FOR: Cllr Mynott, Cllr Slade (2)

AGAINST: Cllr Sanders, Cllr McCheyne, Cllr Pound, Cllr Barratt,

Cllr Keeble, Cllr Trump, Cllr Reed and Cllr Nolan (8)

ABSTAIN: Cllr Haigh (1)

The motion to **REFUSE** the application was **LOST**.

Cllr Nolan **MOVED** and Cllr McCheyne **SECONDED** a motion for the application to be **APPROVED**

Following further discussion a recorded vote was taken, and members voted as follows:

FOR: Clir Sanders, Clir McCheyne, Clir Trump, Clir Reed, Clir Pound, Clir Nolan, Clir Keeble (7)

AGAINST: Cllr Slade, Cllr Mynott, (2)

ABSTAIN: Cllr Barratt, Cllr Haigh (2)

It was RESOLVED, the Application be APPROVED subject to the following conditions, and an additional condition to be added requiring an appropriate height and obscure glass privacy screen along the walkway facing the Culyers Yard development:-

1 TIM01 Standard Time - Full

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2 DRA01A Development in accordance with drawings The development hereby permitted shall not be carried out except in complete accordance with the approved drawing(s) listed above and specifications.

Reason: To ensure that the development is as permitted by the local planning authority and for the avoidance of doubt.

3 U23857

No development shall take place until a sample panel of the materials to be used in the construction of the external surfaces of the building hereby permitted have erected and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: In order to safeguard the character and appearance of the area.

4 U23856

No development shall take place until samples of windows and doors to be used in the construction of the building hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: In order to safeguard the character and appearance of the area.

5 U23858

No development shall take place until a sample panel of the pattern to be used on the external wall adjacent to the proposed footpath link hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: In order to safeguard the character and appearance of the area.

6 U23859

Notwithstanding the details illustrated on the approved plans and accompanying documentation, prior to the commencement of works a detailed section plan at a scale of 1:20 showing the balcony, landscaping/railings and amenity area of a top floor apartment shall be submitted to and approved in writing by the Local Planning Authority. All works shall be undertaken in strict accordance with the agreed details.

Reason: In the interests of preserving the character of the Conservation Area.

7. Before the development is first brought into use cycle parking shall be provided in accordance with the EPOA Parking Standards in a secure, convenient and covered facility, and retained at all times.

Reason: To ensure appropriate cycle parking is provided in the interest of highway safety and amenity in accordance with Policy T14 of the Brentwood Replacement Local Plan.

8. Prior to first occupation of the proposed development, the Developer shall be responsible for the provision and implementation of a Residential Travel Information Pack for sustainable transport for each dwelling, as approved by Essex County Council (to include six one day travel vouchers for use with the relevant local public transport operator).

Reason: In the interests of reducing the need to travel by car and promoting sustainable development.

- 9. No development shall take place, including any ground works or demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
- i. the parking of vehicles of site operatives and visitors;
- ii. loading and unloading of plant and materials;
- iii. storage of plant and materials used in constructing the development;
- iv. wheel and underbody washing facilities.

Reason: To ensure that on-street parking of these vehicles in the adjoining streets does not occur and to ensure that loose materials and spoil are not brought out onto the highway in the interests of highway safety

10. Prior to the commencement of any works of demolition or construction, including preliminary groundworks, a scheme for the archaeological investigation of the site, including a timetable for that investigation, shall be submitted to and agreed in writing by the local planning authority. The results of the investigation shall be submitted to the local planning authority prior to the commencement of any works and, if necessitated by the findings of the investigation, those results shall be accompanied by a programme of excavation, recording and where necessary the protection and preservation of remains of archaeological or historic significance. No development or preliminary groundworks shall take place until the local planning authority has approved that programme and the development shall only take place in accordance with that programme or any variation as may agreed in writing by the local planning authority.

Reason: To enable archaeological records to be made if necessary, on a site that lies within an area of known archaeological interest.

11. A mitigation strategy detailing the excavation/preservation strategy shall be submitted to the local planning authority following the completion of this work.

Reason: The site lies within an area of known archaeological interest.

12. No development or preliminary groundworks can commence on those areas containing archaeological deposits until the satisfactory completion of fieldwork, as detailed in the mitigation strategy, and which has been signed off by the local planning authority through its historic environment advisors.

Reason: The site lies within an area of known archaeological interest.

13. The applicant will submit to the local planning authority a post-excavation assessment (to be submitted within six months of the completion of fieldwork, unless otherwise agreed in advance with the Planning Authority). This will result in the completion of post-excavation analysis, preparation of a full site archive and report ready for deposition at the local museum, and submission of a publication report.

Reason: The site lies within an area of known archaeological interest.

188. MARCOT CHIVERS ROAD STONDON MASSEY ESSEX CM15 0LJ.
EXISTING DWELLING TO BE DEMOLISHED AND REPLACED WITH A
PROPOSED NEW DETACHED DWELLING.
APPLICATION NO: 18/01127/FUL

Planning permission was sought for a detached dwelling with front and rear dormer windows at Marcot, Chivers Lane, Stondon Massey.

The proposed dwelling would have a length of 14.7 metres, a maximum width of 11 metres and a height of 6.4 metres. The dwelling would have different forms and sizes of dormer windows, two rooflights, a pitched roof porch, windows in a variety of sizes and positions, a cross wing front to back and materials would be brick and weatherboarding with plain roof tiles. The application form indicates that the existing house which stands closer to the front of the site in comparison to the proposed dwelling would be demolished after the completion of the new dwelling.

It was concluded that the proposed development would be inappropriate development and reduce openness and there are no very special circumstances to justify the development. The conflict with the development plan is not outweighed by other material considerations. It was therefore recommended that the application be refused. for the reasons as outlined in the report.

Mr Bailey, the Applicant, was in attendance and addressed the Committee in support of the application.

Ward Member, Cllr Keeble, was present and addressed the committee in objection to the application.

Following a full discussion Cllr Trump **MOVED** a motion for the application to be **REFUSED** this was **SECONDED** by Cllr Keeble.

A recorded vote was taken, and it was **RESOLVED UNANIMOUSLY** to refuse the application for the following reasons: -

R1 U27373

The proposed replacement dwelling represents inappropriate development in the Green Belt and as a result of its scale, size and bulk would result in a reduction in the openness of the Green Belt. As such the proposed development is contrary to National Planning Policy 2018 paragraphs 144 and 145 and planning policies GB1 and GB2 of the Local Plan saved policies 2005.

R2 U27378

Other matters that weigh in favour of the proposed development have been considered, but collectively they do not clearly outweigh the harm to the Green Belt. Therefore 'very special circumstances' to justify inappropriate development in the Green Belt do not exist.

189. Urgent Business

There were no items of urgent business and the meeting concluded at 21.35

11th December 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 and Building Control non-statutory fees and charges. Planning fees are set by central government and building fees continue to be led by market conditions.
- 1.2. Planning pre-application charging schedule is reviewed on a quarterly basis and fees are adjusted where appropriate, to reflect the quality of service and resources provided. Building control fees and other non-statutory fees will be reviewed on an annual basis.
- 1.3. There is no proposed fee increase to any of the charges for 2019/20.

2. Recommendation

2.1. For members to note the Fees & Charges in Appendix A and B are to remain at 2018/19 charges for 2019/20; and that the Appendix A and B are referred to Policy, Project and Resources Committee as part of the Budget setting process.

3. Introduction and Background

3.1. Local authorities charge for the Planning and Building Control 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.

- 3.2. Fees and charges such as pre-planning application advice to developers is not a statutory function and so can be charged at a local level. It is the choice of the developer/applicant whether to utilise such services. Rates set by the Council need to be reasonable and broadly reflect the cost of providing the service.
- 3.3. The Council's Planning and Building Control non-statutory fees and charges were reviewed in 2017. Building Control fees were increased by 10% this was to reflect the increase in resources acquired to reflect the demand of work.
- 3.4. Last year, the 2018-19 Funding Settlement announced on 19th December 2017 that Local Authorities can increase their statutory Planning fees by 20%.
- 3.5. The Council adopted this increase, with the condition the increase in funds raised, would be reinvested into the Planning service.
- 3.6. Fees and charges for non-statutory services are currently considered to be at a level that addresses the level of resource required to provide the demands of the service.
- 3.7. As the Local Development Plan moves closer to full adoption it is anticipated that the requirement from the development industry to engage in complex preapplication discussions will increase, placing additional resource requirements on the Council. Therefore, the Council regularly reviews the charges for this service in order to meet the costs of delivering an effective service without making charges prohibitive for applicants.
- 3.8. The principal regulations governing the Local land Charges Register, maintenance access and the charging of fees are set in local Land Charges Act 1975 and Rules of 1977. Fees and charges should normally be set to recover full cost of the service, which should usually be the total cost of all resources used in providing the service. This includes direct and indirect costs, including a full proportional share of overhead costs, distribution costs, insurance, depreciation and costs of capital.

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 Building Control, planning applications, pre-application advice, and Local Land Charges.

4.3. Costs of pre-application advise is monitored monthly. Any increase in costs will be reflected in fees on a quarterly basis. This is to ensure the service currently provided is maintained, as more complex developments from the development industry come forward.

5. Reasons for Recommendation

- 5.1. Ongoing budget pressures facing the public sector continue to be a factor in Council services seeking to generate income wherever possible to contribute to the provision of a high-quality service to residents and businesses.
- 5.2. Currently, it is not considered that any increase is required to the current fees and charges. However, this should be reviewed on a regular basis and adjusted to reflect both the level of demand from the development industry and the Council's resources to provide a high standard of service.
- 5.3. Local Land Charges fees, having regard to the 1975 Act, are considered to be at a level that addresses the level of resources required to provide the demands of the service at cost. The fees have been reviewed in order to ensure that a cost recovery service is maintained and will be reviewed in line with any future legislative changes.

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

Financial Implications

Name/Title: Jacqueline Van Mellaerts, Interim Chief Finance Officer Tel/Email: 01277 312829/ jacqueline.vanmellaerts@brentwood.gov.uk

8.1. The review of the Councils fees and charges is an essential part of setting the budget for 2019/20. Although there are no proposed increases to the fees and

charges at present, the Council needs to ensure regular review us undertaken to accurately reflect a balance between income generation and resource management. This is informed by market demand and so income cannot be guaranteed due to reliance on the development industry coming forward with proposals and agreeing to pay non-statutory fees and charges proposed. However, maintained a quality service that is competitively proceed will ensure a significant contribution is made towards the council's budget.

8.2. Building Control fees & Charges are monitored along with the costs of providing the service to ensure a cost neutral effect is maintained over a three-year period as statutory guidance suggests.

Legal Implications

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

Officer

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

- 8.3. The Local government Act 1999 provides that the Council is under a general duty to "make arrangements to secure continuous improvement in the way its functions are exercised, having regard to combination of economy, efficiency and effectiveness". Statutory Guidance revised in March 2015 emphasises that authorities should engage service users and the wider community in consultation on options for the future and reshaping of the service.
- 8.4. Charges for discretionary services such as pre-application advice and planning performance agreements are. In principle allowed by Local Government Act 2003.

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

8.5 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 19/20 Planning & Land Charges Fees and Charges Appendix B – Proposed 19/20 Building Control Fees 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



DESCRIPTION OF CHARGE	VAT	FEE	CHARG April 2018-Ma		CHAR April 2019-M	
			Excl VAT	Inc VAT	Excl VAT	Inc VAT

SERVICE AREA: PLANNING DEVELOPMENT MANAGEMENT

CHARGING AREA: Planning Application Fees				
All Outline Applications				
Up to 2.5 hectare, per 0.1 hectare	0	S	462.00	462.00
More than 2.5 hectares	0	S	11,432.00	11,432.00
Each 0.1 hectare in excess of 2.5 hectares to a maximum of £125,000	0	S	138.00	138.00
Householder Applications	•	•	222.22	000.00
Alterations/extensions to a single dwelling	0	S	206.00	206.00
Full Applications Alterations/extensions two or more dwellings	0	S	407.00	407.00
New Dwellings (up to 50) per dwelling	0	S	462.00	462.00
New Dwellings (up to 50) per dwelling New Dwellings more than 50	0	S	22,859.00	22,859.00
Each dwelling in excess of 50 to a maximum of £250,000	Ō	S	138.00	138.00
Erection of buildings (not dwellings, agricultural, glasshouses, plant nor machinery)				
Gross Floor up to 40sq m	0	S	234.00	234.00
Gross Floor 40 sq m to 75 sq m	0	S	462.00	462.00
Gross Floor 75sq m to 3750 sq m each 75 sq m or part thereof	0	S	462.00	462.00
Gross Floor more than 3750 sq m	0	S	22,859.00	22,859.00
Each additional 75 sq m in excess of 3750 sq m to a maximum of £250,000	0	S	138.00	138.00
Erection of building (on land used for agriculture for agricultural purposes) Gross Floor Space up to 465 sq m	0	c	06.00	06.00
Gross Floor 465 sq m to 540 sq m	0	S S	96.00 462.00	96.00 462.00
Gross Floor 540 sq m to 4215 sq m each 75 sq m in excess of 540 sq m	0	S	462.00	462.00
Gross Floor more than 4215 sq m	Ö	S	22,859.00	22,859.00
Each additional 75 sq m in excess of 4215 sq m to a maximum of £250,000	0	S	138.00	138.00
Erection of glasshouses				
Gross Floor no more than 465 sq m	0	S	96.00	96.00
Gross Floor more than 465 sq m	0	S	2,580.00	2,580.00
Erection/Alterations/Replacement of Plant and Machinery				
Site Area not more than 5 hectares - per 0.1 hectare or part thereof	0	S	462.00	462.00
Site Area more than 5 hectares Each additional 0.1 hectare in ecess of 5 hectares up to a maximum of £250,000	0	S S	22,859.00 138.00	22,859.00 138.00
Applications other than Building Works				
Car parks, Service Roads or other accesses	0	S	234.00	234.00
Waste (Use of land for disposal of refuse or waste materials or deposit of amterial remaining after ext				004.00
Site Area no more than 15 hectares per 0.1 hectare Site Area more than 15 hectares	0	S S	234.00 34,934.00	234.00 34,934.00
Each 0.1 hectare in excess of 15 hectares up to a maximum of £65,000	0	S	138.00	138.00
Operations connected with exploratory drilling for oil or natural gas				
Site area not more than 7.5 hectares each 0.1 hectare	0	S	508.00	508.00
Site area more than 7.5 hectares	0	S	38,070.00	38,070.00
Each 0.1 hectare in excess of 7.5 hectares up to a maximum of £250,000	0	S	151.00	151.00
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	0	0	057.00	057.00
Site area more than 15 hectares	0	S S	257.00 38,520.00	257.00 38,520.00
Each 0.1 hectare in excess of 15 hectares up to a maximum of £65,000	0	S	151.00	151.00
Operations (winning and working of minerals) excluding oil or natural gas				
Site area not more than 15 hectares each 0.1 hectares	0	S	234.00	234.00
Site area more than 15 hectares	0	S	34,934.00	34,934.00
Each 0.1 hectare in excess of 15 hectares up to a maximum of £65,000	0	S	138.00	138.00
Other operations (not coming within any of the above catergories) Any site area per 0.1 hectares up to a maximum of £1690	0	S	234.00	234.00
Lawful Development Certificate			0	0
Exisitng Use or operation	0	S	Same As Full	Same As Full
Exisiting use or operation - lawful not to comply with any condition or limitation	Ō	S	234.00	234.00
Proposed use or operation	0	S	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

			CHAR	GES	CHAR	GES
DESCRIPTION OF CHARGE	VAT	FEE	April 2018-N	/larch 2019	April 2019-M	/larch 2020
			Excl VAT	Inc VAT	Excl VAT	Inc VAT

SERVICE AREA: PLANNING DEVELOPMENT MANAGEMENT

CHARGING AREA: Planning Application Fees				
Drier Approvel				
Prior Approval Agricultural and Forestry buildings & operations or demolition of buildings	0	S	96.00	96.00
Telecommunications Code Systems Operators	0	S	462.00	462.00
Proposed Change of Use to State Funded School or Registered Nursery	0	S	96.00	96.00
Proposed Change of Use of Agricultural Building to a State-Funded School or Registered Nursery	0	S	96.00	96.00
Proposed Change of Use of Agricultural Building to a flexible use within Shops, Financial	_		00.00	33.33
and Professional services, Restaurants and Cafes, Business, Storage or Distribution,	0	0	00.00	00.00
Hotels, or Assembly or Leisure Proposed Change of Use of a building from Office (Use Class B1) Use to a use falling	0	S	96.00	96.00
within Use Class C3 (Dwellinghouse)	0	S	96.00	96.00
Proposed Change of Use of Agricultural Building to a Dwellinghouse (Use Class C3),		_		
where there are no Associated Building Operations Proposed Change of Use of Agricultural Building to a Dwellinghouse (Use Class C3), and	0	S	96.00	96.00
Associated Building Operations	0	S	206.00	206.00
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	0	S	96.00	96.00
Proposed Change of Use of a building from a Retail (Use Class A1 or A2) Use or a Mixed	O	3	90.00	96.00
Retail and Residential Use to a use falling within Use Class C3 (Dwellinghouse), and				
Associated Building Operations	0	S	206.00	206.00
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)	0	S	96.00	96.00
(Class 20) and any land within its samings to awaiming houses (Class Co)	· ·	O	30.00	30.00
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) Notification for prior Approval for Change of Use from Amusements Arcades/Centres and	0	S	96.00	96.00
Casinos (Sui Generis Uses) and any land within its curilage to Dwellinghouses (Class C3)				
and Associated Building Operations	0	S	206.00	206.00
Notification for Prior Approval for a Change of Use from Shops (Class A1) Financial and				
Proffesional Services (Class A2) Betting Offices and Payday Loan Shops and Casinos (Sui Generis Uses) to restaurants and cafes (Class A3)	0	S	96.00	96.00
		Ū	00.00	00.00
Notification for Prior Approval for a Change of Use from Shops (Class A1) Financial and				
Proffesional Services (Class A2) Betting Offices and Payday Loan Shops and Casinos (Sui Generis Uses) to restaurants and cafes (Class A3) and Associated Building Operations	0	S	206.00	206.00
Notification for Prior Approval for a Change of Use from Shops (Class A1) Financial and				
Proffesional 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)	0	s	96.00	96.00
Reserved Matters				
			Full Fee	Full Fee
Application for approval of reserved matters following outline approval	0	S	due or if paid £462	due or if paid £462
Application for approval of reserved matters following outline approval	O	0	paid 2402	paid 2-102
Approval/Variation/Discharge of condition				
Application for removal or variation of a condition following grant of planning permission	0	S	234.00	234.00
Request for confirmation that one or more planning conditions have been complied with - Householder	0	S	24.00	24.00
Request for confirmation that one or more planning conditions have been complied with -	O	3	34.00	34.00
Other	0	S	116.00	116.00
Change of Use of a building to use as one or more seperate dwellings houses or other cases Not more than 50 dwellings - each dwelling	0	S	462.00	462.00
More than 50 dwellings	Ö	S	22,859.00	22,859.00
Each dwelling in excess of 50 up to a maximum of £250,000	0	S	138.00	138.00
Other Changes of use of a building or land	0	S	462.00	462.00
Advertising				
Relating to the business on the premises	0	S	132.00	132.00
Advance signs which are not situated on or visible from the site, directing the public to a	0	S	132.00	132.00
Other advertisements	0	S	462.00	462.00
Application for a New Planning Permission to replace an Extant Planning Permission				
Applications in respect of major developments	0	S	690.00	690.00
Applications in respect of householder developments Applications in respect of other developments	0	S S	68.00 234.00	68.00 234.00
προμοαιίστο τη τσορσόι οι σίποι ασνοισριποτίιο	U	S	∠34.00	234.UU
Application for a Non-material Amendment following a grant of Planning Permission				
Applications in respect of householder development	0	S	34.00	34.00
Applications in respect of other developments	0	S	234.00	234.00
Application for Permission in Principle				
For each 0.1 hectare of the site area	0	S	402.00	402.00

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

			CHAR	GES	CHAR	GES
DESCRIPTION OF CHARGE	VAT	FEE	April 2018-N	/larch 2019	April 2019-March 2020	
			Excl VAT	Inc VAT	Excl VAT	Inc VAT

SERVICE AREA: PLANNING DEVELOPMENT MANAGEMENT

CHARGING AREA: Pre-Application Advice

Pre - Application advice						
Householder - written response only	S	D	50.00	60.00	50.00	60.00
Householder – written advice and half-hour meeting with planning officer	S	D	75.00	90.00	75.00	90.00
Householder, proposals in a conservation area or works to listed building – written advice						
and 1 hour meeting with planning officer and conservation officer	S	D	233.33	280.00	233.33	280.00
Change of use of Building or Land	S	D	150.00	180.00	150.00	180.00
Single dwelling, replacement or residential annexe – written advice and 1 hour meeting						
with planning officer	S	D	150.00	180.00	150.00	180.00
Single dwelling, replacement or residential annexe in a conservation area or for a listed						
building – written advice and 1 hour meeting with planning officer and conservation officer	S	D	291.67	350.00	291.67	350.00
Alterations to a listed buildings, either residential or commercial – written advice and 1 hour						
meeting with planning officer and conservation officer	S	D	233.33	280.00	233.33	280.00
Minor Development						
Minor development – written advice and 1 hour meeting	S	D	358.33	430.00	358.33	430.00
Additional 1-hour meetings	S	D	125.00	150.00	125.00	150.00
Change of scheme, further comments	S	D	125.00	150.00	125.00	150.00
Major Development						
Major development – written advice and 1 hour meeting	S	D	1,200.00	1,440.00	1,200.00	1,440.00
Additional 1-hour meetings	S	D	358.33	430.00	358.33	430.00
Change of scheme, further comments	S	D	358.33	430.00	358.33	430.00

DESCRIPTION OF CHARGE	VAT	FEE	CHAR April 2018-M		CHAR April 2019-N	
			Excl VAT	Inc VAT	Excl VAT	Inc VAT

SERVICE AREA: PLANNING POLICY

CHARGING AREA: Design Panel Review

Design Panel Review

Panel review session, tailored to reflect the proposal S D negotiable negotiable

FEES & CHARGES SCHEDULE FROM 1 APRIL 2019

DESCRIPTION OF CHARGE	VAT	FEE	CHARGES April 2018-March 2019	CHARGES April 2019-March 2020
			Excl VAT Inc VAT	Excl VAT Inc VAT

SERVICE AREA: BUILDING CONTROL

IABONI	O ADEA, NEW DWELLINGS NOT EVOLED 112 CO						
HARGIN	G AREA: NEW DWELLINGS NOT EXCEEDING 300m2						
<u>HO1</u>	una a Distriction de la contraction de la CDU	-	-	0.40 ==	770.40	0.40.77	770 10
	uses Bungalows less than 4 storeys 1 plot Plan and Inspection	S	D	646.75 711.42	776.10 853.70	646.75	776.10 853.70
	uses Bungalows less than 4 storeys 1 plot Building Notice uses Bungalows less than 4 storeys 1 plot Regularisation	S O	D D	981.80	981.80	711.42 981.80	981.80
110	addo Barrigalowo lodo triarri i dioreyo i pioti regularidation	<u> </u>		001.00	001.00	001.00	001.00
HO2	was Durandawa lasa than 4 stances Onlet Dian and Increation	0	-	040.50	4 000 00	040.50	4 000 00
	uses Bungalows less than 4 storeys 2 plot Plan and Inspection	S	D	913.58	1,096.30	913.58	1,096.30
	uses Bungalows less than 4 storeys 2 plot Building Notice uses Bungalows less than 4 storeys 2 plot Regularisation	S O	D D	1,005.00 1,386.90	1,206.00 1,386.90	1,005.00 1,386.90	1,206.00 1,386.90
110	adde Dangalowe lede than Telefeye 2 plet (tegalaneation	O		1,000.00	1,000.00	1,000.00	1,000.00
HO3			_	4 0=0 00	. =	4.0=0.00	4 = 0 4 04
	uses Bungalows less than 4 storeys 3 plot Plan and Inspection	S	D	1,278.83	1,534.60	1,278.83	1,534.60
	uses Bungalows less than 4 storeys 3 plot Building Notice	S	D	1,406.75	1,688.10	1,406.75	1,688.10
Ho	uses Bungalows less than 4 storeys 3 plot Regularisation	0	D	1,941.30	1,941.30	1,941.30	1,941.30
<u>HO4</u>							
Ho	uses Bungalows less than 4 storeys 4 plot Plan and Inspection	S	D	1,493.25	1,791.90	1,493.25	1,791.90
	uses Bungalows less than 4 storeys 4 plot Building Notice	S	D	1,642.58	1,971.10	1,642.58	1,971.10
Ho	uses Bungalows less than 4 storeys 4 plot Regularisation	0	D	2,266.70	2,266.70	2,266.70	2,266.70
<u>HO5</u>							
	uses Bungalows less than 4 storeys 5 plot Plan and Inspection	S	D	1,772.42	2,126.90	1,772.42	2,126.90
	uses Bungalows less than 4 storeys 5 plot Building Notice	S	D	1,949.67	2,339.60	1,949.67	2,339.60
Ho	uses Bungalows less than 4 storeys 5 plot Regularisation	0	D	2,690.60	2,690.60	2,690.60	2,690.60
F01							
	uses Bungalows less than 4 storeys 1 flat Plan and Inspection	S	D	585.50	702.60	585.50	702.60
	uses Bungalows less than 4 storeys 1 flat Building Notice	S	D	644.08	772.90	644.08	772.90
	uses Bungalows less than 4 storeys 1 flat Regularisation	0	D	888.80	888.80	888.80	888.80
EO2							
FO2	uses Bungalows less than 4 storeys 2 flat Plan and Inspection	S	D	832.33	998.80	832.33	998.80
	uses Bungalows less than 4 storeys 2 flat Building Notice	S	D	915.58	1,098.70	915.58	1,098.70
	uses Bungalows less than 4 storeys 2 flat Regularisation	0	D	1,263.50	1,263.50	1,263.50	1,263.50
EO2							
FO3 Hot	uses Bungalows less than 4 storeys 3 flat Plan and Inspection	S	D	1,041.42	1,249.70	1,041.42	1,249.70
	uses Bungalows less than 4 storeys 3 flat Building Notice	S	D	1,145.58	1,374.70	1,145.58	1,374.70
	uses Bungalows less than 4 storeys 3 flat Regularisation	Ō	D	1,580.90	1,580.90	1,580.90	1,580.90
F04							
FO4	uses Bungalows less than 4 storeys 4 flat Plan and Inspection	S	D	1,328.08	1,593.70	1,328.08	1,593.70
	uses Bungalows less than 4 storeys 4 flat Building Notice	S	D	1,460.92	1,753.10	1,460.92	1,753.10
	uses Bungalows less than 4 storeys 4 flat Regularisation	Ö	D	2,016.10	2,016.10	2,016.10	2,016.10
505							
FO5	uses Bungalows less than 4 storeys 5 flat Plan and Inspection	S	D	1,550.42	1,860.50	1,550.42	1,860.50
	uses Bungalows less than 4 storeys 5 flat Building Notice	S	D	1,705.42	2,046.50	1,705.42	2,046.50
	uses Bungalows less than 4 storeys 5 flat Regularisation	Ö	D	2,353.50	2,353.50	2,353.50	2,353.50
0)/04							
<u>CV01</u>	nversion to a Single Dwelling House Plan and Inspection	S	D	715.67	858.80	715.67	858.80
	nversion to a Single Dwelling House Building Notice	S	D	787.25	944.70	715.67 787.25	944.70
	nversion to a Single Dwelling House Regularisation	Ö	D	1,086.40	1,086.40	1,086.40	1,086.40
01/00							
CV02 Col	nversion to a Single Flat Plan and Inspection	S	D	645.58	774.70	645.58	774.70
	nversion to a Single Flat Building Notice	S	D	710.17	852.20	710.17	852.20
	nversion to a Single Flat Regularisation	0	D	1,034.00	1,034.00	1,034.00	1,034.00
ED Not	tifiable Electrical Work where a satisfactory certificate will not be issued by a Part P						
	istered electrician.	S	D	346.50	415.80	346.50	415.80
reg	istered electrician.						_

			CHAF	RGES	CHAR	RGES
DESCRIPTION OF CHARGE	VAT	FEE	April 2018-March 2019		April 2019-March 2020	
			Excl VAT	Inc VAT	Excl VAT	Inc VAT

SERVICE AREA: BUILDING CONTROL

CHARG	ING AREA: WORK TO A SINGLE DWELLING (NOT MORE THAN 3 STOREYS I	HIGH ABOV	E GRO	OUND LEVE	L)		
<u>DW00</u>	Single Storey extension not exceeding 10 sq m Plan and Inspection Charge	S	D	294.50	353.40	294.50	353.40
	Single Storey extension not exceeding 10 sq m Plan and Inspection Charge Single Storey extension not exceeding 10 sq m Building Notice Single Storey extension not exceeding 10 sq m Regularisation Charge	\$ \$ O	D D	324.00 447.10	388.80 447.10	324.00 447.10	388.80 447.10
<u>DW01</u>	Single Storey extension not exceeding 40 sq m Plan and Inspection Charge	S	D	556.42	667.70	556.42	667.70
	Single Storey extension not exceeding 40 sq m Plan and Inspection Charge Single Storey extension not exceeding 40 sq m Building Notice Single Storey extension not exceeding 40 sq m Regularisation Charge	S S O	D D	612.08 844.70	734.50 844.70	612.08 844.70	734.50 844.70
<u>DW02</u>		-	r	005.55	004.15	005.00	00.1
	Single Storey extension not exceeding 100 sq m Plan and Inspection Charge Single Storey extension not exceeding 100 sq m Building Notice Single Storey extension not exceeding 100 sq m Regularisation Charge	S S O	D D D	695.08 764.58 1,055.10	834.10 917.50 1,055.10	695.08 764.58 1,055.10	834.10 917.50 1,055.10
<u>DW03</u>	Extension with some part 2 or 3 storeys in height and total floor not exceeding 40 sq		_				
	m Plan and Inspection Charge Extension with some part 2 or 3 storeys in height and total floor not exceeding 40 sq Extension with some part 2 or 3 storeys in height and total floor not exceeding 40 sq	S	D	647.92	777.50	647.92	777.50
	m Building Notice	S	D	712.75	855.30	712.75	855.30
	Extension with some part 2 or 3 storeys in height and total floor not exceeding 40 sq m Regularisation Charge	Ο	D	983.60	983.60	983.60	983.60
<u>DW04</u>	Extension with some part 2 or 3 storeys in height and total floor not exceeding 100 sq	S	D	721.00	865.20	721.00	865.20
	m Plan and Inspection Charge Extension with some part 2 or 3 storeys in height and total floor not exceeding 100 sq	S	D	793.08	951.70	793.08	951.70
	m Building Notice Extension with some part 2 or 3 storeys in height and total floor not exceeding 100 sq m Regularisation Charge	0	D	1,094.50	1,094.50	1,094.50	1,094.50
<u>DW05</u>							
	Erection of non-exempt domestic extension comprsing of garage, carport or store not exceeding 100 sq m Plan and Inspection Charge	S	D	354.58	425.50	354.58	425.50
	Erection of non-exempt domestic extension comprsing of garage, carport or store not exceeding 100 sq m Building Notice	S	D	390.08	468.10	390.08	468.10
	Erection of non-exempt domestic extension comprsing of garage, carport or store not exceeding 100 sq m Regularisation Charge	0	D	538.30	538.30	538.30	538.30
<u>DW06</u>	Erection of non-exempt detached non-habital domestic building not exceeding 100 sq	S	D	455.92	547.10	455.92	547.10
	m Plan and Inspection Charge Erection of non-exempt detached non-habital domestic building not exceeding 100	S	D	501.50	601.80	501.50	601.80
	sq m Building Notice Erection of non-exempt detached non-habital domestic building not exceeding 100 sq m Regularisation Charge	0	D	692.10	692.10	692.10	692.10
<u>DW07</u>			_	-			_
	First Floor & Second Floor loft conversion Plan and Inspection Charge First Floor & Second Floor loft conversion Building Notice	S S	D D	535.42 589.00	642.50 706.80	535.42 589.00	642.50 706.80
	First Floor & Second Floor loft conversion Regularisation Charge	Ο	D	812.80	812.80	812.80	812.80
<u>DW08</u>	Other Works Plan and Inspection Charge	S	D	318.08	381.70	318.08	381.70
	Other Works Regularisation Charge	S O	D D	349.92 482.90	419.90 482.90	349.92 482.90	419.90 482.90
<u>DW09</u>							
	Re-roofing, installation of solar panels or photocltaic cells Plan and Inspection Charge	S	D	194.42	233.30	194.42	233.30
	Re-roofing, installation of solar panels or photcoltaic cells Building Notice Re-roofing, installation of solar panels or photcoltaic cells Regularisation Charge	S O	D D	213.83 295.10	256.60 295.10	213.83 295.10	256.60 295.10
<u>DW10</u>	Replacement of windows, roof lights, roof windows or external glazed doors Plan and	S	D	174.33	209.20	174.33	209.20
	Inspection Charge Replacement of windows, roof lights, roof windows or external glazed doors Building	S	D	191.83	230.20	191.83	230.20
	Notice Replacement of windows, roof lights, roof windows or external glazed doors Regularisation Charge	0	D	264.70	264.70	264.70	264.70
<u>DW11</u>							
	Cost of work not exceeding £5,000 Plan and Inspection Charge Cost of work not exceeding £5,000 Building Notice	S S	D D	232.67 255.92	279.20 307.10	232.67 255.92	279.20 307.10
	Cost of work not exceeding £5,000 Building Notice Cost of work not exceeding £5,000 Regularisation Charge	0	D	353.20	353.20	353.20	353.20
<u>DW12</u>	Cost of work exceeding £5,000 but not exceeding £25,000 Plan and Inspection						
	Charge	S	D	451.58 496.75	541.90 506.10	451.58 406.75	541.90
	Cost of work exceeding £5,000 but not exceeding £25,000 Building Notice	s O	D D	496.75 685.50	596.10 685.50	496.75 685.50	596.10 685.50
	Cost of work exceeding £5,000 but not exceeding £25,000 Regularisation Charge	J	5	555.50	200.00	300.00	555.50
<u>DW13</u>	Cost of work exceeding £25,000 but not exceeding £100,000 Plan and Inspection	S	D	716 17	895.40	746.17	QOE 40
	·	S	U	746.17	o95.4U	740.17	895.40
	Charge Cost of work exceeding £25,000 but not exceeding £100,000 Building Notice	S	D	820.75	984.90	820.75	984.90

Notifiable electrical work where a satisfactory certificate will not be issued by a Part P registered electrician

346.50

415.80

346.50

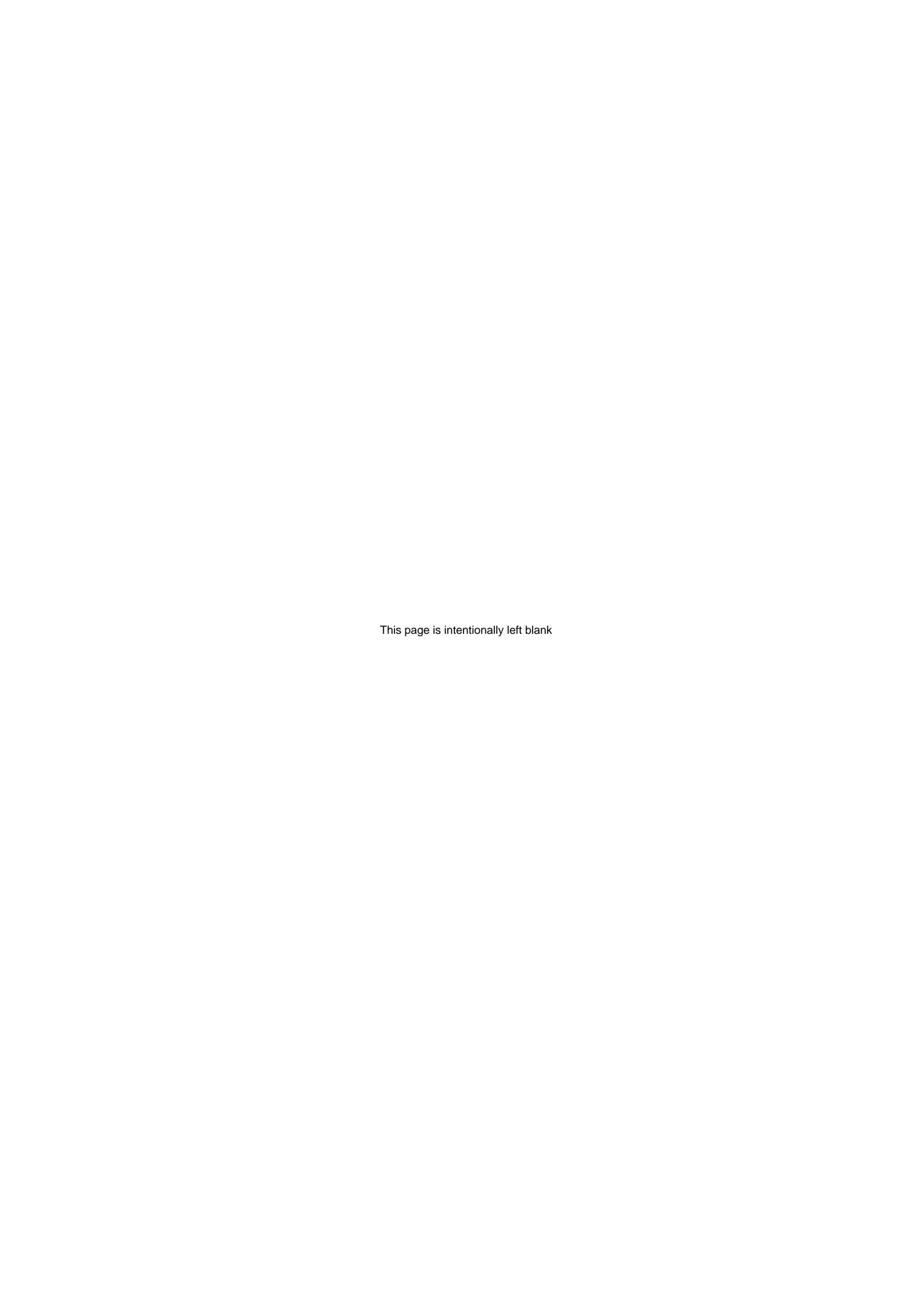
415.80

DESCRIPTION OF CHARGE	VAT	FEE	CHARGES April 2018-March 2019		CHARGES April 2019-March 2020	
			Excl VAT	Inc VAT	Excl VAT	Inc VAT

SERVICE AREA: BUILDING CONTROL

CHARGING AREA: ALL OTHER NON-DOMESTIC WORK (NOT MORE THAN 3 STOREYS ABOVE GROUND LEVEL)

Single Storey extension not exceeding 40 sq m Plan and Inspection Charge Single Storey extension not exceeding 40 sq m Regularisation Charge ID02 Single Storey extension not exceeding 100 sq m Plan and Inspection Charge	S O	D				
Single Storey extension not exceeding 40 sq m Plan and Inspection Charge Single Storey extension not exceeding 40 sq m Regularisation Charge		D				
	O	D	549.75 844.30	659.70 844.30	549.75 844.30	659 844
Single Storey extension not exceeding 100 sq m Plan and Inspection Charge						
Single Storey extension not exceeding 100 sq m Regularisation Charge	S O	D D	628.33 952.30	754.00 952.30	628.33 952.30	754 952
Extension with some part 2 or 3 storeys in height and total floor not exceeding 40 sq m	S	D	687.25	824.70	687.25	824
Plan and Inspection Charge Extension with some part 2 or 3 storeys in height and total floor not exceeding 40 sq m Regularisation Charge	0	D	1,040.70	1,040.70	1,040.70	1,040
<u>ID04</u>						
Extension with some part 2 or 3 storeys in height and total floor not exceeding 100 sq	S	D	746.17	895.40	746.17	895
m Plan and Inspection Charge Extension with some part 2 or 3 storeys in height and total floor not exceeding 100 sq m Regularisation Charge	0	D	1,129.00	1,129.00	1,129.00	1,129
<u>rations</u>						
<u>ID05</u>						
Cost of work not exceeding £5,000 Plan and Inspection Charge	S	D	294.50	353.40	294.50	353
Cost of work exceeding £5,000 but not exceeding £25,000 Regularisation Charge	0	D	441.80	441.80	441.80	44
Replacement of windows, roof lights, roof windows or external glazed doors Plan and Inspection Charge	S	D	255.25	306.30	255.25	300
Replacement of windows, roof lights, roof windows or external glazed doors Regularisation Charge	0	D	373.10	373.10	373.10	37
Renewable energy systems not exceeding £20,000 Planning and Inspection Charge	S	D	274.92	329.90	274.92	329
Renewable energy systems not exceeding £20,000 Regularisation Charge	0	D	392.70	392.70	392.70	392
Installation of new shop front and work not exceeding £5,000 Plan and Inspection Charge	S	D	274.92	329.90	274.92	329
Installation of new shop front and work not exceeding £5,000 Regularisation Charge	0	D	392.70	392.70	392.70	392
I <u>D06</u>						
Cost of work exceeding £5,000 but not exceeding £25,000 Plan and Inspection Charge	S	D	451.58	541.90	451.58	54 ⁻
Cost of work exceeding £5,000 but not exceeding £25,000 Regularisation Charge	0	D	687.20	687.20	687.20	68
Replacment of windows, rooflights, roof windows or external glazed doors (exceeding	S	D	353.42	424.10	353.42	42
20 units) Plan and Inspection Charge Replacment of windows, rooflights, roof windows or external glazed doors (exceeding	0	D	549.80	549.80	549.80	549
20 units) Regularisation Charge Installation of raised storage platform not exceeding 250 sqm within an existing	S					
building Plan and Inspection Charge Installation of raised storage platform not exceeding 250 sqm within an existing building Regularisation Charge	0	D D	432.00 608.70	518.40 608.70	432.00 608.70	51 60
Cost of work exceeding £25,000 and not exceeding £100,000 Plan and Inspection Charge	S	D	785.42	942.50	785.42	94
Cost of work exceeding £25,000 and not exceeding £100,000 Regularisation Charge	0	D	1,197.70	1,197.70	1,197.70	1,19
Fit out of building up to 100 sq m Plan and Inspection Charge Fit out of building up to 100 sq m Regularisation Charge	s O	D D	530.17 736.40	636.20 736.40	530.17 736.40	63 73



11 December 2018

Planning and Licensing Committee

Setting of Licence Fees for 2019/20

Report of: Paul Adams, Joint Licensing Manager

Wards Affected: All

This report is: Public

1. Executive Summary

1.1 This report is to agree fees and charges associated with licence applications for the 2019/20 period, for recommendation to Council for setting.

2. Recommendation(s)

2.1 For members to approve the Fees and Charges as detailed in Appendix A; and the Appendix A is referred to Policy Projects and Resources Committee as part of the Budget setting process.

3. Introduction and Background

- 3.1 Most licence applications attract a fee, different licensing regimes have different ways in which the fees are set, which generally is by one of three ways.
 - A statutory set fee.
 - A locally set reasonable fee that has by statute, a capped maximum amount.
 - A locally set reasonable fee with no maximum cap.
- 3.2 With the exception of the statutory set fees, any fee charged must be based on cost recovery, no profit can be made on the licence fee income.
- 3.3 Fees that are set by statute, cannot be varied and must be charged as they are set within the legislation, this relates to all licences under the Licensing Act 2003 (Alcohol and Entertainment) and some of the Gambling Act 2005 Fees.

- 3.4 Fees that can be set locally with a capped maximum must be set on a cost recovery basis up to the cap. If the cost recovery is less than the capped amount then less than the cap should be charged, if it is higher than the cap then a loss will need to be made. This relates to most fees under the Gambling Act 2005.
- 3.5 Fees that can be set locally without a cap, must be set on a cost recovery basis only, they cannot be used to generate an income to perform other functions of the Council. This relates to Taxis, Sex Establishments, Scrap Metal Dealers, Massage and Special Treatments, Street Trading and all Animal Welfare Licences.
- 3.6 Guidance does exist in relation to fee setting in the form of:
 - Home Office Guidance on setting Scrap Metal Dealers Act 2013
 Fees.
 - LGA Guidance on Locally Set Fees,
 - Welsh Technical Panel templates.
 - Case law.
- 3.7 Generally, fees cannot make a profit, case law has established that any surplus must be carried forward, and any deficit can also be carried forward and recouped.
- 3.8 Benchmarking of fees have been used only as a comparison and should not be used as a fee matching exercise. Each authority will have different costs, structures and processes which could create differences in fees.
- 3.9 Brentwood Council last set its local fees in 2018.
- 4. Issue, Options and Analysis of Options
- 4.1 A Schedule of proposed fees for the 2019/20 period are attached as Appendix A.
- 4.2 It is intended that the fees will come into effect from 1 April 2019, subject to approval by Council.

Animal Welfare Licences

4.3 Animal welfare licences for the purpose of this report applies to:

Activities covered by The Animal Welfare (Licensing of Activities Involving Animals) Regulations 2018, namely

- Selling animals as pets;
- Providing for or arranging for the provision of boarding for cats or dogs;
- Hiring out horses;
- Dog Breeding; and
- · Keeping or training animals for exhibition.

And includes:

- Dangerous Wild Animals (Dangerous Wild Animals Act 1976)
- Zoos (Zoo Licensing Act 1981)
- 4.4 In addition to the fee the applicant will also continue to be invoiced for the fee charged to Brentwood Council for the Vet inspection of the premises. The Vet fee will vary from premises to premises and is only charged where applicable.
- 4.5 Most of these fees were only set in October 2018 when the Animal Welfare (Licensing of Activities Involving Animals) Regulations came into effect, and there are no proposals to amend these fees now.

Hackney Carriage and Private Hire

Private Hire Operators Licences

- 4.6 There is a deficit on this area of licensing, however it is proposed not to increase the fee at this stage. The situation will be monitored and will be reviewed during this year.
- 4.7 If this fee is to be varied, then the statutory consultation process would need to be followed.

Vehicle/Proprietors Licences

- 4.8 Vehicle licensing is in deficit from previous years, which will be carried forward into next year. Current predictions based on keeping the fee at the same level will reduce the deficit in the next 3 years. The situation will be monitored and will be during this year once changes to the Licensing Team structure and process have fully imbedded and a review of time monitoring has taken place.
- 4.9 If this fee is to be varied, then the statutory consultation process would need to be followed.

Hackney Carriage and Private Hire Drivers Licences

4.10 There is no proposal to amend these fees for this year as they are currently operating on a cost recovery model. We have introduced a 1-year fee, to allow for more flexibility for applicants that are new to the

profession, do not wish to licence for three years, or have financial issues affording a three-year licence. This addition has been requested by Trade representatives and is supported by the TTCG and Officers.

Sex Establishments

- 4.11 Sex establishments for this purpose are to include Sex Shops, Sex Cinema's and Sexual Entertainment Venues.
- 4.12 There no proposal to increase this fee, which will maintain the cost recovery basis.

Licensing Act 2003

4.13 These fees are currently set by legislation, although there is a proposal that these are to be set locally, a change to the legislation is not expected this year.

Gambling Act 2005

- 4.14 There is no proposal to change the fee charged for 2019/20.
- 4.15 The maxim fee is currently charged.

Scrap Metal Dealers Act 2013

4.16 There is no proposal to change the fees charged for 2019/20.

Table and Chair Licensing

4.17 There is no proposal to increase this fee, which will maintain the cost recovery basis.

Street Trading

- 4.18 There is no proposal to change the fee charged for 2019/20
- 4.19 A review of the current provisions and extent of the scheme will take place this year and any variation to the fees charged will be reviewed at that time.

Special Treatments

4.20 There is no proposal to increase this fee which will maintain the cost recovery basis.

Road closures

4.21 There is no proposal to change the fee charged for 2019/20.

5. Reasons for Recommendation

5.1 The fees and charges must be agreed by Full Council and cannot be set by this committee. The fees proposed are on a cost recovery basis where possible.

6. Consultation

- 6.1 There is no consultation required under legislation relating to any of the discretionary fees outlined in this report that are subject to change. However, these will be published on the Council's website and are in all cases open to challenge by way of Judicial Review should they be inappropriately set.
- 6.2 If changes to the Hackney carriage or Private Hire Vehicle fees, or the Private Hire Operator fees, are considered then public consultation must be carried out in accordance with the requirements contained within Section 65, Local Government (Miscellaneous Provisions) Act 1976.
- 7. References to Corporate Plan
- 7.1 None
- 8. Implications

Financial Implications
Name & Title: Jacqueline Van Mellaerts
Tel & Email: 01277 312829
jacquelinevanmellaerts@brentwood.gov.uk

- 8.1 All costs associated with providing chargeable services have been reviewed in order to ensure fees & charges are fully cost recoverable.
- 8.2 In the case of licensing fees & charges benchmarking has been carried out but only to be used as a comparison.
- 8.3 The fees referred to, in this report will inform the 2019/20 budget setting process.

Legal Implications

Name & Title: Surinder Atkar, Planning Solicitor
Tel & Email: 01277 312766 /surinder.atkar@brentwood.gov.uk

8.4 There are no additional legal implications other than those already mentioned above and particularly in section 3.

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

None

- 9. Background Papers (include their location and identify whether any are exempt or protected by copyright)
- 9.1 Local Government (Miscellaneous Provisions) Act 1976.

10. **Appendices to this report**

• Appendix A - Proposed 19/20 Licensing Fees and Charges

Report Author Contact Details:

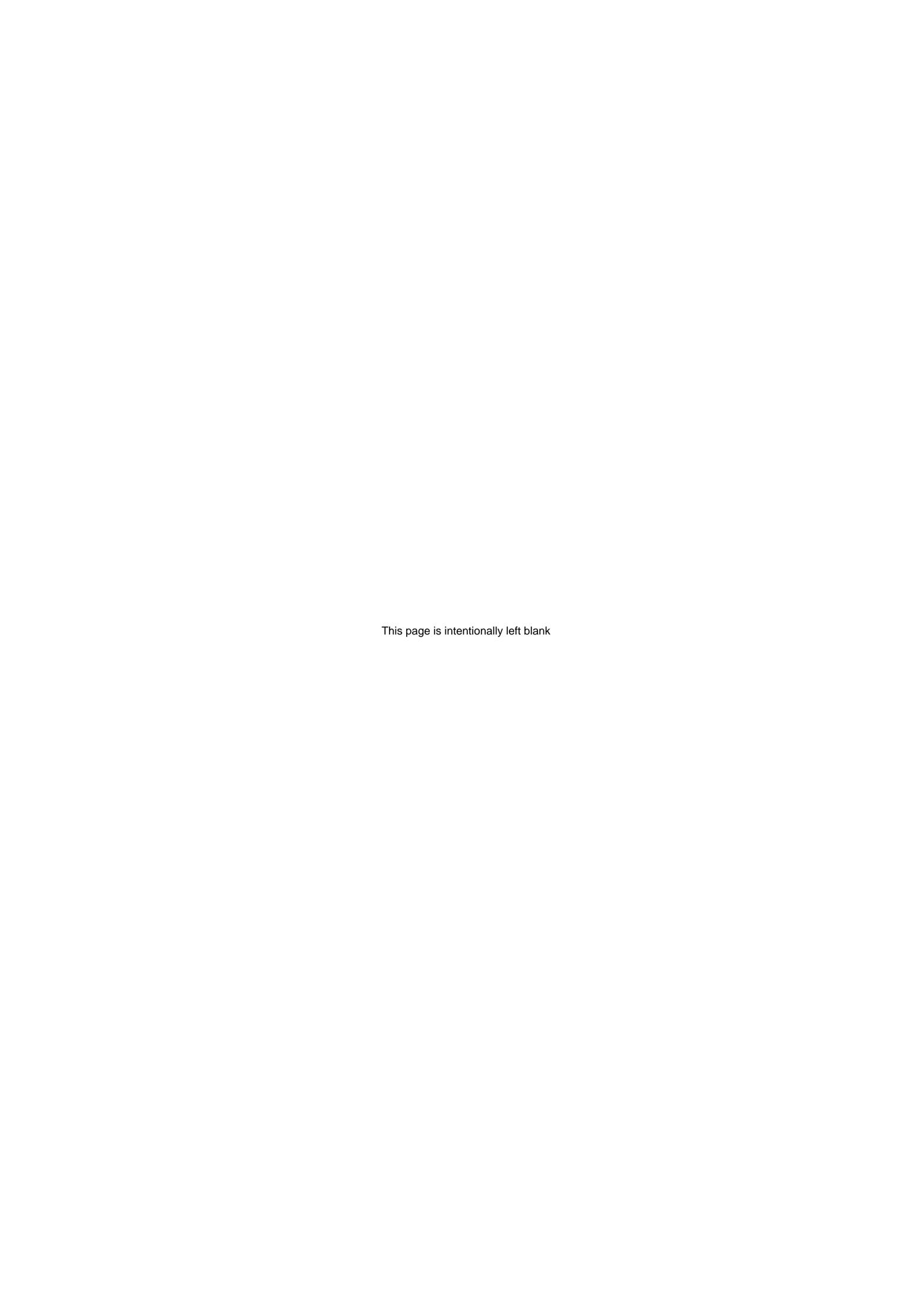
Name: Paul Adams
Telephone: 01277 312500
E-mail: paul.adams@b

paul.adams@brentwood.gov.uk

DESCRIPTION OF CHARGE	VAT	FEE	CHARGES April 2018-March 2019 Excl VAT Inc VAT	CHARGES April 2019-March 2020 Excl VAT Inc VAT
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SERVICE AREA: LICENSING

CHARGING AREA: Licence Fees					
Street Trading					
Independent Permanent Stall - Annual Independent 'One Off Stalls' Lighting Up Brentwood	O D O D O D	350.00 85.00 30.00	350.00 85.00 30.00	350.00 85.00 30.00	350.00 85.00 30.00
Scrap Metal					
	0 0	405.00	405.00	405.00	405.00
Site Application - New - 3 years Collector Application - New - 3 years	O D O D	495.00 280.00	495.00 280.00	495.00 280.00	495.00 280.00
Variation	O D	89.00	89.00	89.00	89.00
Site Renewal Application - 3 years	O D	445.00	445.00	445.00	445.00
Collector Renewal Application - 3 years	О D	230.00	230.00	230.00	230.00
Skin Piercing					
Premises Registration	O D	257.50	257.50	257.50	257.50
Practitioner Registration	O D	91.50	91.50	91.50	91.50
* Please note vet costs are in addition to these fees					
Pet Shops - 1 year	O D	257.50	257.50	N/A	N/A
Boarding Kennels - 1 year	0 D	257.50	257.50	N/A	N/A
Dog Breeders - 1 year Riding Establishments - 1 year	O D O D	257.50 257.50	257.50 257.50	N/A N/A	N/A N/A
Dangerous Wild Animals - 2 years	0 D	257.50	257.50	280.00	280.00
Zoo Premises New - 6 years	O D	927.00	927.00	927.00	927.00
Zoo Premises Renewal - 4 years	O D	566.50	566.50	566.50	566.50
Animal Boarding - Application Fee	O D	N/A	N/A	280.00	280.00
Animal Boarding - Grant Fee Selling animals as pets- Application Fee	O D O D	N/A N/A	N/A N/A	75.00 280.00	75.00 280.00
Selling animals as pets - Application ree Selling animals as pets - Grant Fee	0 D	N/A	N/A	75.00	75.00
Dog Breeding - Application Fee	OD	N/A	N/A	280.00	280.00
Dog Breeding - Grant Fee	O D	N/A	N/A	75.00	75.00
Hiring out horses - Application Fee	0 D	N/A	N/A	280.00	280.00
Hiring out horses - Grant Fee Keeping Animals for Exhibition - Application Fee	O D O D	N/A N/A	N/A N/A	75.00 280.00	75.00 280.00
Keeping Animals for Exhibition - Application Fee Keeping Animals for Exhibition - Grant Fee	O D	N/A	N/A	75.00	75.00
Combination of activities - Application Fee (per additional activity)	O D	N/A	N/A	140.00	140.00
Combination of activities - Grant Fee (per additional activity)	O D	N/A	N/A	75.00	75.00
Variation to licence/re-evaluation of rating - Application Fee	O D	N/A	N/A	85.00	85.00
Variation to licence/re-evaluation of rating- Inspection Fee.	O D O D	N/A	N/A	137.00	137.00
Appeal (All Licences) Variations to reduce the licensable activities or numbers of animals	O D	N/A N/A	N/A N/A	137.00 85.00	137.00 85.00
Sex Establishment Licensing					
Premises Application	О D	2,322.50	2,322.50	2,323.00	2,323.00
Premises Renewal Premises Variation	O D O D	1,583.50 528.00	1,583.50 528.00	1,584.00 528.00	1,584.00 528.00
Pavement Permit	- 3	2_2.00			1_0.00
	2 5	057.50	057.50	050.00	050.00
New application Tables and Chairs 1-2 tables New Application Tables and Chairs 3-6 tables	O D O D	257.50 463.50	257.50 463.50	258.00 464.00	258.00 464.00
New Application Tables and Chairs 3-6 tables.	O D	463.50 669.50	463.50 669.50	670.00	670.00
Renewal application Tables and Chairs 1-2 tables	O D	154.50	154.50	155.00	155.00
Renewal Application Tables and Chairs 3-6 tables	O D	360.50	360.50	361.00	361.00
Renewal Application Tables and Chairs over 6 tables.	О D	566.50	566.50	567.00	567.00
Road Closure	2 -	000.00	000.00	000.00	000.00
Application to close road with 0 - 499 people attending Application to close road with 500 - 1999 people attending	O D O D	200.00 360.00	200.00 360.00	200.00 360.00	200.00 360.00
Application to close road with 2000+ people attending	O D	680.00	680.00	680.00	680.00
Application to stock that 2000 i pooplo attorialing	O D	000.00	555.00	000.00	000.00



Members Interests

Members of the Council must declare any pecuniary or non-pecuniary interests and the nature of the interest at the beginning of an agenda item and that, on declaring a pecuniary interest, they are required to leave the Chamber.

What are pecuniary interests?

A person's pecuniary interests are their business interests (for example their employment trade, profession, contracts, or any company with which they are associated) and wider financial interests they might have (for example trust funds, investments, and asset including land and property).

Do I have any disclosable pecuniary interests?

You have a disclosable pecuniary interest if you, your spouse or civil partner, or a person you are living with as a spouse or civil partner have a disclosable pecuniary interest set out in the Council's Members' Code of Conduct.

What does having a disclosable pecuniary interest stop me doing?

If you are present at a meeting of your council or authority, of its executive or any committee of the executive, or any committee, sub-committee, joint committee, or joint sub-committee of your authority, and you have a disclosable pecuniary interest relating to any business that is or will be considered at the meeting, you must not:

- participate in any discussion of the business at the meeting, of if you become aware of your disclosable pecuniary interest during the meeting participate further in any discussion of the business or,
- participate in any vote or further vote taken on the matter at the meeting.

These prohibitions apply to any form of participation, including speaking as a member of the public.

Other Pecuniary Interests

Other Pecuniary Interests are also set out in the Members' Code of Conduct and apply only to you as a Member.

If you have an Other Pecuniary Interest in an item of business on the agenda then you must disclose that interest and withdraw from the room while that business is being considered

Non-Pecuniary Interests

Non –pecuniary interests are set out in the Council's Code of Conduct and apply to you as a Member and also to relevant persons where the decision might reasonably be regarded as affecting their wellbeing.

A 'relevant person' is your spouse or civil partner, or a person you are living with as a spouse or civil partner

If you have a non-pecuniary interest in any business of the Authority and you are present at a meeting of the Authority at which the business is considered, you must disclose to that meeting the existence and nature of that interest whether or not such interest is registered on your Register of Interests or for which you have made a pending notification.

Planning and Licensing Committee

Planning

- (a) Town and Country Planning Act 1990 and any related legislation including: -
- (i) determination of planning applications;
- (ii) enforcement of planning control;
- (iii) waste land notices, purchase notices, etc.
- (b) Listed Buildings and Conservation Areas Act 1990
- (i) determination of applications for Listed Buildings and Conservation Area consent;
- (ii) enforcement of Listed Building and Conservation Area legislation.
- (c) To consider and determine the Council's comments where appropriate on major development outside the Borough when consulted by other Local Planning Authorities.
- (i) To guide the Council in setting its policy objectives and priorities.
- (ii) To carry out the duties and powers of the Council under current legislation;
- (iii) To develop, implement and monitor the relevant strategies and polices relating to the Terms of Reference of the committee.
- (iv) To secure satisfactory standards of service provision and improvement, including monitoring of contracts, Service Level Agreements and partnership arrangements;
- (v) To consider and approve relevant service plans;
- (vi) To comply with the standing orders and financial regulations of the Council;
- (vii) To operate within the budget allocated to the committee by the Council.
- (viii) To determine fees and charges relevant to the committee;

To review and monitor the operational impact of policies and to recommend proposals for new initiatives and policy developments including new legislation or central government guidance

(d) Powers and duties of the local planning authority in relation to the planning of sustainable development; local development schemes; local development plan and monitoring reports and neighbourhood planning

Licensing

- (a) Except in relation to the statement of Licensing Policy, to discharge all functions conferred upon the council as licensing authority under the Licensing Act 2003.
- (b) Except in relation to the statement of Licensing Policy, to discharge all functions conferred upon the council as licensing authority under the Gambling Act 2005.
- (c) To determine all fees and charges relevant to matters disposed by the Planning and Licensing Committee.
- (d) To exercise all other functions relating to licensing and registration including i.Trading Requirements
- ii. All functions relating to hackney carriage drivers and vehicles and private hire drivers vehicles and operators
- iii. Animal Welfare and Security
- iv. Skin Piercing, Acupuncture, Electrolysis and Tattooing
- v. Sex establishments (including Sex Entertainment Venues (SEV))
- vi. Pavement Permits
- vii. Charitable Collections
- viii. Camping, Caravan Sites and Mobile Homes
- ix. Scrap Metal
- x. Game Dealers
- (e) Any other matters relating to licensing as may be referred to the committee for consideration.

- (f) To hear and determine licensing applications and appeals where objections and /or representations have been received in relation to any of the above functions.
- (g) To manage and monitor the budgets in respect of licensing and vehicle licensing.