

**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 20<sup>th</sup> 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 19<sup>th</sup> 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**

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- 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**

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- 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

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