

 Overview and Scrutiny Committee: 28 June 2016		Agenda Item No. 7
Title	An update on the pre-application charging regime for development proposals.	
For further information about this report please contact	Gary Fisher	
Wards of the District directly affected	All wards	
Is the report private and confidential and not for publication by virtue of a paragraph of schedule 12A of the Local Government Act 1972, following the Local Government (Access to Information) (Variation) Order 2006?	No	
Date and meeting when issue was last considered and relevant minute number	Executive: 14 January 2015 and I July 2015.	
Background Papers		

Contrary to the policy framework:	No
Contrary to the budgetary framework:	No
Key Decision?	No
Included within the Forward Plan? (If yes include reference number)	Yes
Equality Impact Assessment Undertaken	N/A

Officer/Councillor Approval		
Officer Approval	Date	Name
CMT	17/6/16	
Head of Service	17/6/16	Tracy Darke
Section 151 Officer	17/6/16	Mike Snow
Portfolio Holder(s)	17/6/16	Councillor Stephen Cross
Consultation & Community Engagement		
N/A		
Final Decision?		Yes
Suggested next steps (if not final decision please set out below)		

1. **Summary**

- 1.1 The purpose of this report is to update the committee on progress with the introduction and operation of a chargeable pre-application advice scheme.

2. **Recommendation**

- 2.1 That the Committee notes the content of the report.

3. **Background**

- 3.1 Pre-application advice is a key element of the provision of a rounded and effective development management service.
- 3.2 The provision of such advice is important in providing developers with an appropriate steer as to the acceptability of their proposals prior to the submission of a planning application. It is also useful in identifying at an early stage schemes where there is little or no prospect of success thereby potentially preventing significant expenditure on the part of an applicant directed at schemes which are not acceptable.
- 3.3 It is widely acknowledged that the benefits of effective pre-application services are generally welcomed within the development industry and that developers are willing to pay for that service subject to it being provided in a timely and transparent manner.
- 3.4 The successful implementation of a pre-application charging scheme relies upon additional staff resource within the Development Management Team. This will build in sufficient capacity to ensure that pre-application work is undertaken in a focussed and timely manner.
- 3.5 This approach was agreed on a trial basis by Executive last year in order to establish whether the scheme is successful and whether the level of income derived will be such that in the longer term the scheme will become at least self-funded. If the scheme is not successful, then the alternative is to cease any pre-application advice as there is no capacity to offer a free service, and when this was previously the case, the service was poor as there was no capacity with the current level of staffing.
- 3.6 In order to assist Members in considering this report, the scheme itself has been reproduced at Appendix 1.
- 3.7 Members are asked to note that the charging schedule operates on a sliding scale reflecting the complexity and scale of development proposals and that the level of charging proposed was carefully considered taking into account the wide range of charging schedules currently operated across the country and within the sub region.
- 3.8 Members will also note that the scheme includes a number of exemptions to the requirement to pay for pre-application advice, including works relating to householder proposals; for small locally based charities; Housing Associations and development relating to employment proposals. As part of this approach, we are providing an enhanced service free to householders by way of the provision of a weekly drop in service for customers.

3.9 The operation of the pre-application service commenced in February 2016 which Members may be aware was later than had been anticipated. This was primarily as a result of difficulties experienced in recruiting an Officer on a temporary basis for the trial period. Unfortunately the officer recruited was not suitable and the contract was terminated after 3 months. Another officer has now been recruited.

4. The Current Position

- 4.1 The pre-application scheme has now been in operation for over 4 months and whilst it remains at a relatively early stage of implementation, notwithstanding the difficulties that have been experienced in recruitment, by way of this update, there are a number of observations which can be highlighted for the committee.
- 4.2 The close monitoring of the number and type of pre-application requests received has identified that relative to the corresponding period for the previous year, that number has reduced. It is likely that this reduction in the main relates to the loss of those requests which previously came forward on a more speculative basis as a consequence of the availability of free advice to all potential applicants.
- 4.3 That reduction might also be partly explained by the successful operation of the weekly free householder drop in sessions which are now offered. Over that period this service has provided a total of 170, 15 minute slots during which advice, which previously might have been sought as a more formal pre-application request is now provided to applicants and their agents in a more flexible way.
- 4.4 It has also become increasingly clear that, as expected the majority of potential applicants and developers are willing to pay for pre-application advice subject to it being provided in a timely and comprehensive manner. Whilst the difficulties that have been experienced in recruitment have meant that the provision of such an effective service has at times been challenging, to date, no concerns have been raised about the operation of the revised pre-application service. Indeed, there are an increasing number of instances where following the initial provision of advice, potential applicants have worked up their schemes in more detail and been prepared to pay again for further such advice in respect of the revised proposals.
- 4.5 Whilst the rate at which pre-application requests are received can vary significantly from week to week and month to month, since the commencement of the charging scheme just over 4 months ago, the income received to date is £16,000.
- 4.6 At this relatively early stage, it is difficult to predict whether that trend and level of income will continue on an on-going basis, however, were that to be the case, the level of income received would be likely to be sufficient to fund a permanent Planning Officer post in order to provide an appropriate level of resource to continue to deliver this service in an effective manner.

5. The Next Steps

- 5.1 It is proposed that the trialling of this service continues over the next 6-8 months in order to continue to establish with as much clarity as possible, the level of pre-application work and income being received over that longer period to inform the further consideration of the ability to, and appropriateness of continuing this service on a permanent basis.
- 5.2 It is intended that a further report will then be made to Executive which will either recommend that the service be continued on a permanent basis, or should the level of work and income not be sufficient to sustain that approach, be discontinued and pre-application advice no longer provided.

Appendix 1

Warwick District Council Pre-Application Service Charges

Tier 1: Self service advice via the WDC website: No charge.
Tier 2A: Request for a written response as to whether planning permission is required. Fee of £35 for a written response.
Tier 2B: Request for a written response as to the acceptability of a minor proposal: Fee of £50 for householders or £150 for other proposals.
Tier 2C: Provision of verbal advice at the Development Management/Building Control householder drop in session: free of charge.
Tier 3: Provision of pre-application advice for small scale non-householder proposals which do not fall with tiers 4 – 6: Fee of £150 per meeting or written response; or £300 for both.
Tier 4: Provision of pre-application advice for proposals which fall within the “minor” development category: i.e. residential proposals of 1-9 dwellings or involving a site area up to 0.5 ha; commercial proposals involving less than 1,000 sq m of floor space or a site area of less than 1 ha: Fee of £300 per meeting or written response; or £600 for both.
Tier 5: Provision of pre-application advice for proposals which fall within the “small scale major” development category: i.e. residential proposals of 10 – 199 dwellings or involving a site area of 0.5 - 4 ha; commercial proposals involving between 1000 and 9999 sq m of floor space or a site area of 1 -2 ha: Fee of £600 per meeting or written response; or £1200 for both.
Tier 6: Provision of pre-application advice for proposals which fall within the “large scale major” development category: i.e. residential proposals of 200 or more dwellings or involving a site area of 4 ha or more; commercial proposals involving 10000 sq m or more of floor space or a site area of 2 ha or more: Fee of £900 per meeting or written response; or £1800 for both.

1. All fees are inclusive of VAT
2. A fee will not be charged for advice relating to proposals which:-
 - are brought forward by small charitable organisations that are based within Warwick District;
 - are submitted by or on behalf of Housing Associations;
 - assist disabled people: for example, proposals involving modifications to make a house more accessible or user friendly.
 - which require Listed Building consent (not including redevelopment schemes where the work to a Listed Building is part of a wider proposal).
 - are for employment development falling within the B use class.