

 Executive: 14 January 2015		Agenda Item No. 8
Title	The introduction of a proposed 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Is the report private and confidential and not for publication by virtue of a paragraph of schedule 12A of the Local Government Act 1972, following the Local Government (Access to Information) (Variation) Order 2006?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	N/A	
Background Papers	N/A	

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
Chief Executive/Deputy Chief Executive	11/12/14	Chris Elliott/Bill Hunt
Head of Service	11/12/14	Tracy Darke
CMT	19/12/14	
Section 151 Officer	19/12/14	Mike Snow
Monitoring Officer	19/12/14	Andy Jones
Finance	19/12/14	Jenny Clayton
Portfolio Holder(s)	19/12/14	Councillor John Hammon
Consultation & Community Engagement		
<p>This report includes a proposal to consult with key external stakeholders in order that their views can be considered in developing a pre-application charging regime.</p>		
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 seek authority to consult with key external stakeholders in bringing forward and implementing a regime which introduces financial charges for the provision of pre-application planning advice.

2. **Recommendation**

- 2.1 The Executive authorise officers to consult with relevant stakeholders in order to obtain their views on the proposed introduction of the pre-application service included at Appendix 1; and
- 2.2 To report back to Executive on the outcome of that consultation and the proposed next steps.

3. **Reasons for the Recommendation**

- 3.1 Pre-application advice is increasingly becoming a key element in the provision of a rounded and effective development management service.
- 3.2 The provision of such advice is important in providing potential developers with an appropriate steer as to the likely acceptability of their proposals prior to the submission of a planning application and in highlighting key issues and matters to be addressed as part of any formal submission. 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 To date, unlike many other Local Planning Authorities across the sub-region including Warwickshire County Council, Stratford on Avon District Council, Solihull Metropolitan Borough Council, and Nuneaton and Bedworth Borough Council, this Council has resisted the introduction of pre-application charging essentially due to concerns about the extent to which potential users may be discouraged by the requirement to pay for such a service.
- 3.4 However, 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. In fact, many potential applicants have indicated that they would be willing to pay for such a service despite no schedule currently being in place.
- 3.5 As Members will be aware, this Council's Development Management Team provides an effective and speedy service in determining planning applications and in that respect is recognised as one of the top performing Local Planning Authorities in the country. However, the current level of resourcing within the Team is such that in many cases it has not also been possible to prioritise pre-application submissions and discussions to the extent to which the team aspires. As a consequence, it is acknowledged that the team currently under performs in that area and misses opportunities to advise and influence proposals prior to a formal submission being made to the detriment of the provision of a fully rounded service and the reputation of the Council.
- 3.6 Drawing on the experience of other Local Planning Authorities, it is considered that the introduction of an appropriate pre-application charging regime including suitable safeguards to ensure that in particular householders wishing

to extend their home and where appropriate other potential applicants are not disadvantaged, offers an opportunity to further enhance the quality of the development management service offered to our customers.

- 3.7 The proposed restructured pre-application service incorporating a charging regime upon which it is proposed to consult is included at Appendix 1 to this report.
- 3.8 Members are asked to note that the proposed charging schedule has been drawn up on a sliding scale reflecting the complexity and scale of development proposals and that the level of charging proposed has been carefully considered taking into account the wide range of charging schedules currently operated across the country including by councils within the sub region.
- 3.9 As part of this restructured approach, it is proposed to offer an enhanced service to householders by way of the introduction of a combined development management and building control drop in service on a regular basis. It is not proposed that any charge will be made for advice provided to householders, unless the service request includes the provision of written advice.
- 3.10 In order to ascertain and understand the views of our customers in progressing this proposal, it is proposed to consult a sample of customers who have recently submitted planning applications; those planning agents who regularly submit planning applications and those planning consultancies that have submitted a planning application within the last year on the details of the proposed scheme.
- 3.11 The responses to that consultation will be used to inform the detailed development of this proposal.
- 3.12 It is considered that initially, in order to resource the provision of an enhanced pre-application service, a further full time Planning Officer post is required within the Development Management Team as the current level of resourcing within the team does not build in sufficient capacity to ensure that pre-application work can be prioritised and undertaken in a robust and timely manner which will be crucial to the success of an enhanced service. For that reason, over the initial 18 month provision of that service it is also proposed to seek any funding required over and above the income received from the Planning Reserve.
- 3.13 Should the introduction of this service prove to be successful, it is anticipated that the level of income likely to be derived from it will be such that in the longer term it will become totally self-funding (see section 5 below).

4. **Policy Framework**

- 4.1 **Fit for the Future** – It is anticipated that the provision of an enhanced pre-application service will increase the quality of development schemes being delivered within the District and the service offered to our customers, and as such will contribute to the vision of making Warwick District a great place to live, work and visit as set out in the Sustainable Community Strategy and therefore be consistent with the Fit for the Future programme.

5. Budgetary Framework

- 5.1 The successful provision of this enhanced service carries with it a need to increase resourcing within the Development Management Team by 1 x FTE Planning Officer. The total cost of the post including overheads is approximately £40,000 per year which initially is proposed to be funded from the income received, with any shortfall provided from the Planning Reserve.
- 5.2 On the basis of the current level of demand for pre-application advice which to date since 1 January 2014 totals in excess of 300 requests and the range of development projects in respect of which advice has been sought, it is anticipated that the income received would be likely to be commensurate with the additional cost of providing the service such that in the longer term it will become self-funding.
- 5.3 However, there is also a risk that the introduction of a charge for pre-application advice would result in a reduction in the level of demand for that service which would in turn impact upon the level of income derived from that service. For that reason, it will be important to review the financial position every 6 months in order that this can be monitored.

6. Risks

- 6.1 In addition to the risk identified at 5.3 above, there is also a risk that without sufficient resourcing, officers will be unable to respond to service requests for which a charge has been made in a proportionate and timely manner. The success of this proposal relies upon the effective provision of appropriate advice and the level of resourcing required to achieve that has therefore been carefully considered.
- 6.2 There is however considered to be a greater risk associated with the continued provision of pre-application advice without charge and without any increase in the resourcing available within the team. Such an ongoing position would in all likelihood result in a continued low level of customer service generating an increasing number of complaints and further lost opportunities to proactively influence development proposals at an early stage.
- 6.3 For that reason, it may also be necessary to consider whether the cessation of the provision of a pre-application service would be preferable to the provision of a poor service.

7. Alternative Option(s) considered

- 7.1 As set out at paragraph 6.2 above, it is considered that the continued operation of this aspect of the development management service in the current manner does not provide an appropriate level of customer service or contribute as effectively as it could to the delivery of increasingly good development across the District.
- 7.2 Consideration has also been given to the additional resourcing of the service without the introduction of a pre-application charging regime. However, in view of the annual cost of approximately £40,000 involved; the current financial climate including the need to make ongoing savings; and the potential opportunity for introducing a self-financing initiative, at this stage this has been discounted.

Appendix 1:

Warwick District Council Proposed Pre-Application Service on which consultation is to be undertaken.

Tier 1: Self service advice via the WDC website.
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: Introduction of regular Development Management/Building Control drop in sessions for householders. Provision of verbal advice: 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.

All fees are inclusive of VAT

A fee will not be charged for advice provided to local community organisations including housing associations and in respect of schemes that are supported through the Local Enterprise Partnership.