

Planning Service

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Sent by email

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Dear Planning Fees and Performance Consultation Team

Stronger performance of local planning authorities supported through an increase in planning fees

Thank you for the opportunity to comment on this consultation. Overall, we are supportive of the proposal to increase fees and improve performance and we have provided a response below.

One area we would like to identify which impacts on performance are response times from consultees, including statutory consultees. Unless consultees provide their comments within the statutory consultation period, meeting targets is more challenging. There are also tensions between requirements in the NPPF to negotiate and work with applicants versus issuing timely decisions. We would support changes to help address these current challenges.

Question 1. Do you agree that fees for planning applications should be increased by 35% for major applications?

- Yes
- An increase will help towards recovering more of the costs associated with determining a major planning application
- However, this increase does not cover costs associated with appeals which can be significant especially in relation to Public Inquiries

Question 2. Do you agree that the fee for householder planning applications should be increased by 25%?

- Yes

- An increase will help towards recovering more of the costs associated with determining a non-major planning application
- One cost associated with the planning process relates to press adverts for planning applications, this has limited value to our communities as we move to a more digital environment. If this requirement could be removed, then this would help reduce overall costs.

Question 3. Do you agree that fees for all other planning applications should be increased by 25%? If not, please include in the comments box the particular application types where you believe the proposed increase is too high or too low. Your comments should be accompanied with evidence/costs if possible.

- Yes

Question 4. Are there any other application types or planning services which are not currently charged for but should require a fee or for which the current fee level or structure is inadequate?

- Some Prior Approvals require consultations and a similar level of work as a planning application, the fees for these types of applications should be increased by more than 25%
- Listed building applications?

Question 5. Please can you provide examples of bespoke or 'fast track' services which have worked well or you think could be introduced for an additional fee? Are there any schemes that have been particularly effective?

- Fast track services work best on application types with limited or no consultations such as Lawful Development Certificates and some types of Prior Approval applications
- Applications where consultation is required could limit the ability to offer a fast-track service given the time needed to consult and consider the response. There could be the perception of pre-determining the application in advance of the consultation

Question 6. Do you agree with the proposal for all planning fees to be adjusted annually in line with inflation?

- A more regular review and adjustment of fees to reflect the work involved is welcomed
- If it is in line with inflation, if this falls, would the planning fees be reduced? This would not be supported

Question 7. Do you consider that the additional income arising from the proposed fee increase should be ringfenced for spending within the local authority planning department?

- No
- Ring-fencing, and explicitly the monitoring and reporting of ring-fencing will bring additional burdens to planning and finance colleagues.
- All local planning authority departmental structures are different, so depending on how the “local authority planning department” is defined this could create additional complications where service structures differ from that definition
- Planning income and spend are volatile, and on an annual basis in-year increases in spend do not always lead to a commensurate increase in income, and vice versa. As such ring-fencing the additional income may not give the flexibility needed at a corporate level to support service delivery across a medium term financial plan period, especially given the ongoing uncertainty around future local government funding.

Question 8. Do you agree that the fee for retrospective applications should be doubled, i.e. increased by 100%, for all applications except for householder applications?

- We are supportive of an approach that will increase cost recovery, therefore increasing the fee for retrospective applications by 100% is welcomed
- Retrospective applications often involve more work than a standard application so to increase the fee would help towards covering this cost, however there are some other considerations in relation to this
- Often, we want to encourage retrospective applications to be submitted so that the development can be regularised and controlled through appropriate planning conditions. Therefore, increasing the fee could deter this. This would then mean pursuing enforcement action which in some cases can be more time consuming and costly
- An alternative could be to introduce a charge in relation to enforcement action, which if not paid results in a charge on the land

Question 9. Do you consider that the ability for a ‘free-go’ for repeat applications should be either:

- (a) removed
- (b) reduced for re-applications within 12 months
- (c) retained
- (d) none of the above
- (e) don’t know

Please give your reasons

- This is linked to achieving the average speed of decision-making measurements

- If an application is not acceptable, then either amended plans can be submitted or the scheme is refused
- Negotiating with an applicant is encouraged in the NPPF
- If amended plans are submitted, often this will take the application beyond the determination date. An applicant can agree to an extension of time; however, the new performance framework will monitor this and if measurements are put in place to keep extensions of time low, this could impact on the average speed of decision making
- Therefore, situations may arise where applications are being refused in order to meet the average speed of decision-making measurements instead of agreeing to amending application
- To then charge the applicant again to submit a new application may be perceived as un-fair
- One way to address this is to add a measurement which includes applications with extensions of times where amended plans have been submitted. This will then address the requirements of the NPPF whilst still providing a measurement
- For applications where amended plans are not required then the free go should be removed. This could apply where a scheme was dismissed at an appeal, and they are submitting a revised scheme

Question 10. Do you agree that a fee of £96 (or £120 if the proposed fee increase comes forward) should be charged for any prior approval application for development by the Crown on a closed defence site?

- Yes

Question 11. What do you consider to be the greatest skills and expertise gaps within local planning authorities?

- Ecology, whilst we benefit from an Ecology Officer, planners need to have a broader understanding of the topic in order to assess more for themselves
- Sustainable design and construction techniques
- Climate change
- Inclusive design, considering the built environment for everyone, including mobility challenges, age groups, neurodiversity
- Landscaping, whilst we benefit from a Landscape Officer, planners need to have a broader and more in-depth understanding of landscape planning
- Urban design and place making skills

Question 12. In addition to increasing planning fees, in what other ways could the Government support greater capacity and capability within local planning departments and pathways into the profession?

- Apprenticeships could also be offered for people who are changing from an existing profession into Planning
- A more vocational route could also be offered

Question 13. How do you suggest we encourage people from under-represented groups, including women and ethnic minority groups, to become planning professionals?

- Through the national curriculum, introducing the profession as part of the geography syllabus in schools
- By getting planning professionals to go out into schools and explain what the role involves
- Apprenticeships

Question 14. Do you agree that the Planning Guarantee should better mirror the statutory determination period for a planning application and be set at 16 weeks for non-major applications and retained at 26 weeks for major applications?

- Yes

Question 15. Do you agree that the performance of local planning authorities for speed of decision-making should be assessed on the percentage of applications that are determined within the statutory determination period i.e. excluding extension of times and Planning Performance Agreements?

- Extensions of times where amended plans are not submitted should be monitored as this may be disguising capacity and efficiency issues

Question 16. Do you agree that performance should be assessed separately for

(a) Major applications

- Yes

(b) Non-Major applications (excluding householder applications)

- Yes

(c) Householder applications

- Yes

(d) Discharge of conditions

- Yes

(e) County matters applications –

- Yes

- Whilst the metrics have been set out no indication of the targets has been included

Question 17. Do you consider that any of the proposed quantitative metrics should not be included?

- No

Yes/no/don't know. Please give your reasons and, if appropriate, state the metric letter(s) and number(s) that you believe should not be included.

Question 18. Are there any quantitative metrics that have not been included that should be?

- Response times from statutory consultees

Question 19. Do you support the introduction of a qualitative metric that measures customer experience?

- Yes, however the Planning Service has a number of customers at any one time
- A neighbour, town / parish councillor / ward councillor along with the applicant are all customers of the service
- In many cases the customers want a different outcome to the application. An applicant will want a quick planning permission issued, a neighbour may want a different decision and are not concerned how long it takes
- Therefore, this depends on who is being considered as the customer

Question 20. What do you consider would be the best metric(s) for measuring customer experience?

- Inclusion of Ombudsman complaints that are upheld
- Whilst a customer satisfaction survey could be used, not everyone will complete these
- Customer satisfaction scoring could be used based on the overall satisfaction of the service (as opposed to decision on the application, although this is likely to influence the answer)
- Customer effort score, measuring the level of effort the customer feels they need to make to get a response of resolution based on a scale of very easy to very difficult

Question 21. Are there any other ways in which the performance of local planning authorities or level of community engagement could be improved?

- There could be a requirement for all applicants to notify immediate neighbours and their town and parish council before submitting a planning application. A certificate could be included as part of the planning application forms to confirm that they have informed them and confirming which neighbours have been notified

- If it became apparent that the neighbours had not been advised then the planning application could be invalidated and not determined
- On Major planning applications it could be mandatory to have a form of community engagement, either virtually, through a website or in person before the planning application is submitted
- On Major applications introducing mandatory 'forums' from pre-app to build out phase could be mandatory

Question 22. Do you have any views on the implications of the proposals in this consultation for you, or the group or business you represent, and on anyone with a relevant protected characteristic? If so, please explain who, which groups, including those with protected characteristics, or which businesses may be impacted and how. Is there anything that could be done to mitigate any impact identified?

- We do recognise that not everyone has access to a computer or the internet and therefore access planning information can be challenging for these people, press adverts and site notices assist with this, however they do add additional cost to the service. If mandatory consultations by applicants had to be undertaken then this could assist with ensuring people are aware of an application and at the same time could reduce the cost on the local planning authority

Yours sincerely



Development Manager (Applications)