

PART 1 - PUBLIC

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**Decision Maker:** Executive

**Date:** 8<sup>th</sup> December 2010

**Decision Type:** Urgent Executive Non-Key

**Title:** PROPOSALS FOR CHANGES TO PLANNING APPLICATION FEES CONSULTATION

**Contact Officer:** Bob McQuillan, Chief Planner  
Tel: 020 8313 4441 E-mail: bob.mcquillan@bromley.gov.uk

**Chief Officer:** Bob McQuillan

**Ward:** N /A

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1. Reason for report

This report provides a suggested response on the questions asked as part of the consultation on planning application fees.

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2. **RECOMMENDATION**

Members endorse the recommended responses.

### Corporate Policy

1. Policy Status: N/A.
  2. BBB Priority: Quality Environment.
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### Financial

1. Cost of proposal: No cost
  2. Ongoing costs: N/A.
  3. Budget head/performance centre: Planning
  4. Total current budget for this head: £3.3m
  5. Source of funding: Existing revenue budget
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### Staff

1. Number of staff (current and additional): N/A
  2. If from existing staff resources, number of staff hours: N/A
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### Legal

1. Legal Requirement: Non-statutory - Government guidance.
  2. Call-in: Call-in is not applicable.
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### Customer Impact

1. Estimated number of users/beneficiaries (current and projected): N/A
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### Ward Councillor Views

1. Have Ward Councillors been asked for comments? N/A.
2. Summary of Ward Councillors comments:

### 3. COMMENTARY

3.1 Research commissioned by the Department of Communities and Local Government from Arup in 2009 suggested that planning application fees were not covering the cost of handling those applications. In response a consultation on Proposals for Changes to Planning Application Fees has commenced. The consultation ends on 7<sup>th</sup> January 2011. A copy of the consultation document is attached.

3.2 At present planning fees are set nationally. Not all applications attract a fee. The consultation paper puts forward two options:-

1. Decentralise the responsibility of setting fees to local planning authorities
2. Maintain the current fee system

Option 1 is the preferred option in the consultation paper.

3.3 Comments are also sought on allowing local planning authorities to decide whether to give applicants a “free go” when resubmitting an application following refusal or withdrawal and to allow local planning authorities to set a higher fee for retrospective applications. It is not proposed to change the type of applications which do not attract a fee. The fee will cover only handling, processing and determining applications which attract a fee. It will not cover any other aspect of the planning service which remains to be funded by the local authority.

3.4 The consultation seeks a response to a number of questions

#### Question 1

Do you agree that each LPA should be able to set its own (non profit making) planning application fee charges?

*While on the face of it this is an attractive change, in practice because the fees will operate on a cost recovery basis, it will not change the percentage of the planning service which will be covered by fee income.*

#### Question 2

Do you agree that LPAs should be allowed to decide whether to charge for applications that are resubmitted following withdrawal or refusal?

*This seems to be an appropriate change as resubmitted applications have similar consultation and processing costs for the LPA.*

#### Question 3

Do you agree that LPAs should be able to set higher fees for retrospective applications?

*Yes. As it is clearly unacceptable for applicants not to seek permission before commencing work, it is to be hoped that a higher fee would reduce the number of such applications.*

#### Question 4

Are there any other development management services which are not currently charged for but should require a fee?

*As the consultation paper makes clear, it is not proposed to change the exemption from fees of Listed Building, Conservation Area Consent applications and applications required for works to*

*protected trees. This is on the basis that owners cannot opt out of these designations which are in the public interest. However it would seem reasonable to be able to charge a fee for applications required because permitted development rights have been removed by condition. Such conditions are imposed because of local circumstances.*

Question 5

Are there any other development management services which currently require a fee but should be exempt from charging?

No

**4 FINANCIAL IMPLICATIONS/ PERSONNEL IMPLICATIONS**

4.1 At this early stage and with limited detail available about the final option to be chosen, it is not possible to add to what is in the body of the report. Should the preferred option be adopted, it may limit the percentage of the planning budget within the Council’s control and could increase the cost of providing that part of the planning service not covered by fee income.

<b>Non-Applicable Sections:</b>	Policy; Legal	
Background Documents: (Access via Contact Officer)	Proposals for Changes to Planning Application Fees Consultation	