

REPORT TITLE: PLANNING PRE-APPLICATION ADVICE

9 JULY 2019

REPORT OF CABINET MEMBER: Cllr Jackie Porter Built Environment and Wellbeing

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WARD(S): ALL (EXCLUDING THOSE IN THE SOUTH DOWNS NATIONAL PARK AUTHORITY AREA)

#### PURPOSE

The council has undertaken a review of its existing Pre-Application Planning Advice Service. Following this review this paper recommends a new service based upon a refreshed purpose and 4 key principles. The service will have a new charging structure that aligns with its purpose and principles and increases fee income to cover the cost of delivering the service.

#### RECOMMENDATIONS:

1. That the Policy Committee are asked to endorse the strategy set out in this report to adopt a new customer focused pre-application charging service based on the purpose, principle and charging structure set out within the report.

1 RESOURCE IMPLICATIONS (If applicable, please include below some detail to state that option(s) will need to have a legal and financial assessment) (to be reviewed by Monitoring Officer and s151 Officer)

1.1 The pre-application advice service will be delivered within existing resources. The change reflects the council's commitment to look at innovative and entrepreneurial avenues for income generation and service delivery.

1.2 Fee income for pre-application advice in 2018 was £31,455 . Projected fee income based upon the proposed charging structure would be £181,994 based on existing volumes, but a prudent forecast would be included in budget estimates in anticipation that there could be some volume reduction upon implementing the new charging structure.

1.3 Project fee income is calculated in Appendix 1.

2 SUPPORTING INFORMATION:

2.1 **Background**

2.2 The existing pre-application service was established in 2008 and has not been reviewed since that time, except for minor inflation increases. Notably the need for review is highlighted as a key priority to enhance the overall quality of service that the department offers its customers.

2.3 Development Management has transformed its service delivery putting the customer at the heart of its decision making; providing an end-to-end planning service incorporating a solution based philosophy to meet the needs of the customer within the planning framework. It is a natural step to embed a refreshed pre-application service within Development Management at the start of the engagement with its customers. This will allow the service to catch customer needs at the very early stage when the opportunity to help, guide and influence is at its greatest.

2.4 Feedback from Agents who regularly use the existing service is that the current offer is cheap in comparison to other pre-application services in Hampshire and agents indicate that they would be willing to pay more for a service that offered clear and direct planning advice. The review examines the cost recovery of the advice given, reflecting officer input, proportionality and fairness and will establish a new fee structure reflective of the high quality, customer focused service it will deliver.

2.5 **Details of Proposal**

2.6 The review of the existing service has helped inform and shape the revised service through scrutinising existing data. The findings of the review reflect best practice in accordance with National Planning Policy Guidance and the advice set out by the Planning Advisory Service. The review has robustly benchmarked the pre-application service offered by other Local Authorities in

Hampshire and wider afield. The review also aligns with the council's core priorities in relation to the Environment, Economy and Innovation.

## 2.7 Existing service:

- House Holder enquiries free and time consuming – average 8 hrs officer time; many repeat contacts.
- Significant time spent on minor and major advice including specialist advice 9-24hrs.
- Price not proportionate to officer time – the time taken is led by customer demand and not planning assessment (for householder and minor category applications).
- System abuse – cheaper “pre-dip” (development in principle) service used for more detailed response.
- Loss of income.
- Advice not often reflected in outcome – inflexible schemes.
- Not getting in early enough to shape schemes.
- Choice of advice to customer limited and not suited to individual needs.
- Advice often not customer focused; policy heavy; not clear or focused.
- Poor web site – not clear or purposeful.

## 2.8 The New Service: Purpose

2.9 The agreed purpose at the heart of the pre-application service will be:

**“Offering easy to use and tailored pre-application engagement, to improve and protect homes, and shape a high quality environment and economy.**

2.10 The new service will adopt 4 key principles:

### 2.11 Bespoke and Flexible

- Understand what the customer wants, why and when;
- Help advise the best way forward;
- Recommend which departments of the council to consult to deliver the advice that is needed;

### 2.12 Early engagement

- Commitment to early engagement to shape high quality development;
- Free upfront chat with a Planning Officer to talk through the customer's ideas and to shape the pre-application service to suit the individual customer;
- Inception meeting with Principal Planner for all Major Development.

### 2.13 Easy to Use and Value for Money

- New simple charging structure reflecting specialist officer's advice.

- Website improvement and digital platform.

#### 2.14 **Delivering High Quality Outcome**

- Precise, concise and unambiguous communication at every stage.
- Agree timeframes.

2.15 The volumes of pre-application enquiries has been carefully examined and based on 2018 data a revised pre-application advice service could generate an income of £181,994 based on 2018 volumes (see appendix 1). In the same period the current service generated an income of £31,455 .

#### 2.16 **Conclusion**

2.17 The new pre-application service will offer a bespoke and tailored advice service to all planning customers that will be easy to use and simple to understand. The advice provided will be tailored to each individual customer need and will be precise, concise and unambiguous. The advice given will involve a period of training for all officers to ensure best practice is delivered.

2.18 It will be led by experienced Team Leaders and principal officers. The transition period will therefore be well planned and effective. Review will take place to ensure the service is consistent and meets the needs of customers and recovers costs.

2.19 The charging structure has been developed through a thorough analysis of customer demand and needs and the officer resource involved in providing the advice. It reflects best practice and has been benchmarked against other Local Planning Authorities in Hampshire and beyond. The charging structure will reflect the bespoke service provided and the council's commitment to shaping a high quality environment and supporting the District's economy.

2.20 It must be acknowledged that the charging structure may result in less pre-application contact with the council, particularly from householders who have previously received a free service. However the justification to charge a 50% the planning fee (which at £206 does not deter people from applying for planning consent) is considered fair at this stage given the level of officer resource involved and reflects other charging points across Hampshire. The proposed charging schedule is set out in Appendix 2.

2.21 The charging structure combined with the targeted advice will create a service that is received as professional and high quality. The ability for all customers to have a free point of entry discussion with or guided by a planner is considered fair, open and engaging and will ensure the planning input is provided as early as possible which is considered essential in shaping high quality development.

### 3 OTHER OPTIONS CONSIDERED AND REJECTED

- 3.1 The charging structure has been developed through testing alternatives including a full cost recovery procedure based charging, and charging various percentages of the equivalent planning fee. However, the results led to much higher fees that would be significantly higher than other Hampshire Authorities, or complex charging structures that would likely deter customers.

### 4 LEGAL IMPLICATIONS

- 4.1 The Council recognises the provisions of The National Planning Policy Framework, which recognise that the local planning authority has a key role to play in encouraging other parties to take maximum advantage of the pre-application stage. To this end the Council provides a discretionary pre-application service at the request of applicants.
- 4.2 The Council may charge for providing discretionary services under section 93 of the Local Government Act 2003, as a best value authority defined by section 1 of the Local Government Act 1999. There is a limitation on the charges made to recovery the costs of the service in that the Council is under a duty to ensure that the charges do not exceed the cost of providing the service.
- 4.3 Additionally it is important that any charging does not discourage appropriate pre-application discussions. In this context, the Council needs to consider whether charging is appropriate in all cases, given the potential for pre-application engagement to save time and improve outcomes later in the process.
- 4.4 The Pre-Application fees seek to outline an increase in the level of pre-application advice offered whilst maintaining overall pre-application costs. As such, this report correctly addresses the NPPF and the requirements of Section 93 of the Local Government Act 2003.

#### BACKGROUND DOCUMENTS:-

##### Previous Committee Reports:-

None

##### Other Background Documents:-

Existing pre-application advice service

<https://www.winchester.gov.uk/planning/planning-applications/application-for-pre-application-advice>

National Planning Practice Guidance

Planning Advisory Service – The Pre Application Suite

Local Government Association advice

APPENDICES:

Appendix 1 – Project fee income

Appendix 2 - Proposed fee schedule

## Appendix 1

### Projected fee income (based on 2018 volumes)

Pre App Type	Volume	Fee	Income (exclude VAT)
Householder	237	£103.00	£24,411.00
Minor 1	45	£231.00	£10,395.00
Minor 2	29	£795.00	£23,055.00
Minor 3	13	£477.00	£6,201.00
Major	26	25% Fee	£115,185.00
Advert	2	£103.00	£206.00
COU	11	£231.00	£2,541.00
Total			<b>£181,994.00</b>

## Appendix 2

### Proposed fee schedule

Application Type	Fee	Fee (including VAT)
<b>Householder</b> Householder (enlargement, improvement, alteration to an existing dwelling or development proposed within the curtilage (not including replacement dwelling but is including an annex).	£103.00	£123.60
<b>Minor 1</b> New Dwellings 1	£231.00	£277.20
<b>Minor 2</b> New Dwellings 2-9	£795.00	£954.00
<b>Minor 3</b> Non Householder, non major, non residential	£477.00	£572.40
<b>Major</b> (As defined by central government) <ul style="list-style-type: none"> <li>•10+ dwellings / over half a hectare</li> <li>•General industrial - 1000+ m<sup>2</sup> / 1+ hectare</li> <li>•Office / light industrial - 1000+ m<sup>2</sup> / 1+ hectare</li> <li>•Retail - 1000+ m<sup>2</sup>/ 1+ hectare</li> <li>•Gypsy/traveller site - 10+ pitches</li> </ul>	25% of Planning Fee	25% of planning fee +VAT
<b>Planning Performance Agreement (PPA) for Major</b>	Discuss as part of Pre Application Process	
<b>Advert Enquiries</b>	£103.00 (50% fee)	£123.60
<b>COU (no external alterations)</b>	£231.00 (50% fee)	£277.20
<b>Application relating to Disability Adaptations</b>	Free	