

REPORT TO: CABINET MEMBER FOR PLANNING

DATE: 30 NOVEMBER 2021

SERVICE AREA: PLACE-SHAPING AND ECONOMIC GROWTH

REPORTING OFFICER: EXECUTIVE OFFICER - DEVELOPMENT
MANAGEMENT AND BUILDING CONTROL (John
Worthington)

SUBJECT: **DEVELOPMENT MANAGEMENT FEE SETTING
REPORT 2022/2023**

WARD/S AFFECTED: All

FORWARD PLAN REF: N/A

1.0 PURPOSE OF REPORT

- 1.1 The purpose of this report is to consider the proposed increases to non-statutory fees and charges for the Development Management service to be applied from 1 April 2022.

2.0 RECOMMENDATIONS

- 2.1 That the Cabinet Member agrees for implementation the fees and charge highlighted yellow in Appendix A of the report. These fees have been increased by approximately 2.5%
- 2.2 The fees associated with Minor Pre Application submissions and meetings associated with Major Pre Application submissions (highlighted orange in Appendix A) be recommended by the Cabinet Member to Cabinet at a rate of increase in excess of 2.5% so that the fee more closely relates the cost in officer time of providing responses to these matters. By their nature such submissions are largely made by commercial organisations rather than members of the public.
- 2.3 All fees would be applied from 1st April 2022

3.0 RECOMMENDED REASONS FOR DECISION

- 3.1 The general approach taken in setting fees is to levy a charge for a service which reflects the actual cost to the Council. An exception to this involves those matters that seek to promote community involvement in Planning where, following Government guidance, charges are either not made or are set at

minimal levels to encourage public involvement in the system.

- 3.2 Some current major and minor pre application fees are considered by officers to be at a rate which does not reflect the actual cost to the Council. In these cases an increase above the 2.5% target increase is recommended to adequately cover the cost to the Council of undertaking such work.
- 3.3 With these exceptions, and unless otherwise highlighted below, the 2.5% target increase approved by Cabinet on 21 August 2021 has been applied to all other approved charges for 2022/23.

4.0 ALTERNATIVE OPTION/S CONSIDERED AND RECOMMENDED FOR REJECTION

- 4.1 Not to raise fees. This has been rejected as it would be contrary to the decision of Cabinet in approving the Medium Term Financial Strategy from 21 August 2021. Failure to implement the increase would mean that the full costs of providing the service would not be achieved. Only increasing all fees by 2.5% would not cover the cost to the Council of some services.

5.0 THE REPORT

- 5.1 Details of the recommended non-statutory fees and charges relating to the Planning service are set out in Appendix A.
- 5.2 **Fees for the provision of information** – The majority of Planning publications are available free of charge on the Council’s website. This remains the primary access channel to planning information with printed material only being supplied to satisfy special needs. It is proposed to increase charges by 2.5% as approved by Cabinet.
- 5.3 **Fees for pre-application enquiries** – A comprehensive charging scheme for pre-application enquiries was introduced in April 2016 and these were reviewed in April 2018. The review introduced additional charges for meetings and amendments. The charges associated with different types of enquiries are based on the average productive hourly rate of officers involved and the approximate amount of time taken to deal with an enquiry. It is proposed that the charges for pre application enquiries be increased broadly in line with the 2.5% guidelines approved by Cabinet.
- 5.4 Exceptions to this would be the charges for minor pre application enquiries and meetings for major pre application enquiries. It is considered by officers that these rates does not adequately cover the cost to the Council of researching and responding to these queries. It is therefore proposed to increase the charge of a standard minor submission to £500 and “amendments following response” to £250. For major submissions meeting fees would increase to £400 for standard major submissions and £500 for large major submissions to adequately cover officer time needed to facilitate and host such meetings. By their nature such submissions are largely made by commercial organisations rather than members of the public.
- 5.5 **Fees for Householder Planning Checks (HPCs)** – This fee is intended to cover the administration of an important service to householders wishing to extend, by

providing clear written advice from the Council on whether there is a requirement for planning permission, Listed Building Consent, Conservation Area Consent or Building Regulations Approval. It is proposed that the charges for responding to written enquiries be increased in line with the 2.5% guidelines approved by Cabinet.

- 5.6 **Fee for Miscellaneous letters** – The service receives a variety of letters many of which are seeking information or advice and require officers to spend time investigating planning histories or legislation. It is proposed that the charges for responding to written enquiries be increased in line with the 2.5% guidelines approved by Cabinet.
- 5.7 **Fees for Monitoring S106 Legal Agreements** - The monitoring of Section 106 Agreements is a complex and time consuming process and therefore the Borough Council incurs significant costs, especially in relation to agreements relating to major residential developments with multiple post development triggers. A new fee was introduced to cover the expense of such work for the financial year 21/22 and it is proposed that the charges for monitoring legal agreements be increased in line with the 2.5% guidelines approved by Cabinet.
- 5.8 **Fees for the Unilateral Undertaking service** – the Council charges an administration fee for work associated with the preparation of unilateral undertakings. It is proposed that the charge be increased in line with the 2.5% guidelines approved by Cabinet.
- 5.9 **Planning application fees** – Fees for planning applications are set by Government and are therefore not covered by this report.

6.0 REQUIRED ASSESSMENTS AND IMPLICATIONS

- 6.1 The following were considered: Financial Implications; Human Resources Implications; Legal Implications; ICT Implications; Strategic Property/Asset Management Considerations; Risk Assessment; Equality and Diversity (the Public Sector Equality Duty and impact upon people with protected characteristics). If applicable, the outcomes of any consultations, assessments, considerations and implications considered necessary during preparation of this report are detailed below.

6.2 Financial and Legal Implications

Finance and legal staff have been consulted during preparation of this report and their comments taken into account in the proposed recommendations.

7.0 CONCLUSIONS

- 7.1 This report takes a balanced approach to setting charges for services in 2021/22, promoting community involvement in Planning through the provision of free information and ensuring applicants pay for the services they require and benefit from at a level which reflects the cost to the Council of providing them.

Background Papers – none

OFFICER CONTACT: Please contact John Worthington, Executive Officer – Development Management and Building Control if you require any further information on the contents of this report. The officer can be contacted at the Place-shaping and Economic Growth Section, Civic Centre, Harrogate, HG1 9RW, by telephone on 01423 500600 x 56948 or by e-mail – john.worthington@harrogate.gov.uk