

Subject: Introduction of pre-application charging for potential planning applications

Report to: Policy and Resources Committee, 31st July 2018; Full Council 6th September 2018

Report by: Dean Minns, Planning Manager, and Adam Nicholls, Head of Planning & Growth

SUBJECT MATTER

Charging for pre-application planning advice is an increasingly common practice for Local Planning Authorities. The Council has previously agreed to introduce such a service, and this paper sets out the details of the proposed regime in Great Yarmouth Borough.

Policy and Resources Committee is asked to recommend that Full Council resolves to agree:

- a) That the Council introduces a system of charging for pre-application advice for a Great Yarmouth, with effect from 1st October 2018 as detailed in Section 6 of the report;
- b) That the Director of Development, is given delegated approval to produce, finalise and refine the supporting guidance, detailed fees schedule and application forms;
- c) That there will be a formal review of the first 12 months' operation, with Policy and Resources Committee considering a paper with recommendations for any more significant changes in autumn 2019.

1. INTRODUCTION

1.1 Charging for planning applications has been required for many decades now. The rates are set nationally, and were last increased in January 2018. Apart from some limited exceptions (such as in areas covered by Local Development Orders, as in parts of the Borough, and a second "free go" if the first application is refused), all applicants for which an application needs to be made have to pay the relevant fee (which varies depending on the application's type and size).

1.2 Pre-application planning advice is where prospective applicants (and/or their agents) seek advice and guidance from their Local Planning Authority (LPA) before deciding whether to submit a planning application, although it can sometimes be earlier in the process. For example, it is not uncommon, if particular houses or plots of land are for sale, for LPAs to receive inquiries from prospective purchasers as to whether planning permission would likely be granted for a large extension, and/or additional dwellings (for popular disposals, multiple such requests can sometimes be made). In such cases, there can be little or no detail available of the potentially-desired proposal.

1.3 Although engagement/discussions prior to the submission of a planning application is not a statutory requirement, it is often sensible for potential applicants to seek such advice (particularly on larger or more potentially controversial schemes), which can disclose the main issues the potential scheme could face and a potential steer (in principle) as to how the LPA might view such an application.

1.4 For the same reasons, there can be benefits to the LPA for engaging too, as it can contribute to higher quality development (i.e. some no-hope schemes never make it off the drawing board, and other applicants may have dealt with issues which may have caused delays and taken more officer time later on in the process). Like all other LPAs, the Council still has difficulties with poor-quality applications being made, with key information missing or incorrect more often than is ideal (despite regular reminders from officers). A pre-application fee could also help reduce this (particularly if it included an element of “application checking”) – the Council clearly incurs costs in dealing with invalid applications (even if they can be made valid later).

1.5 There are a number of exemptions from paying planning fees, including applications for the registered disabled people relating to access and extension to dwellings houses, Listed Buildings consent and for the resubmission of an application within 12 months of the refusal decision (or, in the case of an appeal, the final date of the appeal dismissed). Of these applications, those linked to disability in particular would logically also not be charged for pre-application advice. Further suggested exemptions are set out below in this paper.

1.6 Through reducing risk and uncertainty for developers/applicants, pre-application discussions can therefore help promote growth and inward investment, and lead to consents which are implementable and implemented.

1.7 Pre-application advice has therefore been sought by some prospective applicants and house-purchasers for many decades, too; as it has traditionally been given free of charge by LPAs, it has often been a “no-brainer”.

1.8 The practice of pre-application engagement is firmly encouraged in the National Planning Policy Framework (NPPF). Relevant pre-application engagement is considered to be very important part for both LPAs and applicants/developers in order to help secure developments that improve the economic, social and environmental conditions of an area, as well as saving time and money for both parties.

1.9 Guidance on the value of pre application engagement, and more specifically here charging for the service is also provided by national Planning Practice Guidance (PPG). The PPG recognises the importance of pre-application engagement by prospective applicants in improving the efficiency and effectiveness of the planning application system. It recognises that pre application engagement needs to be tailored to the nature of the proposed development, the issues to be addressed and that local planning authorities may charge for planning advice.

1.10 However, Councils are increasingly charging for the provision of this advice, to recover at least some of the cost of providing the service in advance of submission of an application and to help see better quality applications submitted. The increasing pressure on local authorities to be self-financing by 2020, the drive to be more commercially-minded and the recognition that paid-for pre-application advice is now widespread in England and generally accepted by most developers, has led to this proposal for Great Yarmouth Borough Council.

1.11 The Local Government Act 2003 provides authorities with a power to charge for discretionary services, including the provision of planning pre-application advice, and therefore allows authorities to recover at least some of these costs incurred before an application is submitted. The income raised must not exceed the costs of providing the service (i.e. it cannot be a profit-making service).

1.12 Primary legislation, set out in section 303 of the Town and Country Planning Act 1990 (“TCPA 1990”), establishes that pre-application fees must be set at a level which ensures that, taking one financial year with another, the income from fees charged for pre-application advice does not exceed the cost of providing that service. In other words, it does not have to be demonstrated that the income from each and every chargeable pre-application would not make a “profit” (which would obviously be extremely onerous and time-consuming to manage, and inherently uncertain anyway), only overall.

1.13 To ensure transparency, the PPG advises that, where local planning authorities opt to charge for certain pre-application services, they are strongly encouraged to provide clear information online about:

- the scale of charges for pre-application services applicable to different types of application (e.g. “minor” or “major” or “other”);
- the level of service that will be provided for the charge, including:
 - the scope of work and what is included (e.g. duration and number of meetings or site visits);
 - the amount of officer time to be provided (recognising that some proposed development may usefully have input from officers across the local authority and/or from other statutory and non-statutory bodies);
 - the outputs that can be expected (e.g. a letter or report) and firm response times for arranging meetings and providing these outputs;
 - it is also helpful for local planning authorities to provide links to any charges that [statutory consultees](#) (such as the Highway Authority and Environment Agency) may levy for pre-application advice, where this is known.

1.14 The PPG also explains that pre-application engagement should be a two-way process and the level of information required by the LPA should be proportionate to the development proposed.

1.15 The advice within the PPG is itself recognition of the acceptance of charging for pre-application advice to improve the quality of submissions and a better built environment whilst working proactively at an early stage in the planning process. Today, charging for pre-application advice is therefore common amongst LPAs. In considering the setting of the charging rates, there are therefore a number of other examples (in Norfolk and elsewhere) to draw on.

1.16 Within Norfolk and Suffolk, the majority of councils have a system of pre-application charging in place, albeit there are differences and variations in the charging systems. Nearby, only the Broads Authority, Broadland DC and Breckland DC currently do not currently charge for pre-application advice.

1.17 The Council has already committed to introducing pre-application charging as part of the work undertaken to identify additional income and efficiency savings and formed part of the budget setting for the current (2018/19) financial year.

2. BACKGROUND

2.1 Despite the pressures that the Planning & Growth section has experienced over recent years, officers have continued to offer free pre-application advice as an integral part of the overall service to a range of customers in connection with different types of planning applications. However, the service provided has been dependent upon

resources and capacity, with (entirely logically) priority being given to dealing with formal planning applications.

2.2 The Council's own [Statement of Community Involvement](#) (adopted in March 2013) refers to the importance good quality of pre-application discussion and consultation, which enables better co-ordination between public and private resources and improved outcomes for the community. It states that the Council will positively promote pre-application discussions, *"the benefits being early engagement with the community has the potential to improve the efficiency and effectiveness of the planning system for all stakeholders."* It further states: *"We will be happy to advise developers on when and how they might involve the community before submitting a planning application, based on the significance of the proposals for the community, previous planning history and experience, but developers will carry out the consultation process"*.

2.3 In term of the current volumes of pre-application enquires, the national planning application forms have a box in which details of pre-application engagement with the LPA should be entered. The submitted forms therefore give an indication of the number of applications that are result in an application being submitted, and this is approximately 20% of applications received in the Borough. On average, over the last five years, this has equated to about 160 pre-applications inquires per year. The level and time spent at the pre-application stage obviously varies, according to the complexity of the situation. At the lowest level it can be as little as directing an applicant to the correct forms and fees, through to a number of lengthier meetings and discussions for some larger applications.

2.4 Pre-application advice currently falls into three categories.

- a) Over the telephone (which can vary from the simple to the complicated);
- b) by email or letter; and/or
- c) meeting or site visit.

2.5 Based on information recorded by Development Control officers (DC) from sample information b) + c) above, over a 48-week period there were some 576 occasions when some form of pre-application advice has taken place. An average of 30 minutes per enquiry equates to about 288 hours of interaction overall, although this time taken is not always in a single block of time – there might, for example, be a number of separate telephone conversations, or telephone conversations, analysis of material provided and meetings.

2.6 Advice over the telephone (a) over the same period roughly equates to 192 hours, leading to a combined total of 480 hours.

2.7 The turnaround depends on the complexity of the matter and also the quality of information provided by the potential applicant (e.g. any studies already done, or other existing information). Turnaround generally is within five working days (for site visits it is 10 days) but there are no set standards. Advice given on site visits/ meetings is for the most part verbal and is generally limited to officer opinion and policy direction.

2.8 The Council would continue to provide, free of charge, advice in the following areas:

- i) The need for planning permission;
- ii) Works to listed buildings; and
- iii) Works to protected trees.

2.9 Pre-application advice can never be binding on an LPA; it is just that – **advice**, not a draft decision. In most cases, there will (understandably) be gaps in supporting information and no certainty of the precise intentions of the potential applicant – for example, a potential developer may not want to spend a significant sum of money drawing up a detailed scheme if the LPA's pre-application view is that permission would be very unlikely to be granted for that kind of scheme in principle. Circumstances can change, more information can become available, national and local planning policy can alter and in some cases the potential views of other key consultees (such as the Highway Authority, Environment Agency, parish council etc) may not be known at an early pre-application stage either. That being said, all LPAs aim to produce helpful pre-application advice which gives a balanced view of the strengths and weaknesses of a particular draft proposal.

2.10 In 2009, a charge for responding to Permitted Development (PD) enquiries for householders was introduced. The fee is linked to half the cost of a formal application for a Certificate of Lawful Development. For the last year (2017/18) the fee of £43 has produced an income of £2,500 from 58 enquiry forms and has generally been accepted by users of the service. Enquirers receive a letter from confirming whether the proposed development would be permitted development or not (based on the information supplied by the enquirer). The letter does not constitute a formal decision, however, and a lawful development certificate (LDC) is the statutory process in planning law and is double the cost of the permitted development letter (so currently £172).

2.11 The introduction of the fee and form has effectively reduced the number of miscellaneous permitted development enquiries received (from some prospective house purchasers, for example) and provides a structured and controlled way for the Council to deal with the enquiries.

3 PREDICTED LEVELS OF PRE-APPLICATION ENQUIRIES

3.1 Most LPA that have introduced charges find, entirely predictably, that as a consequence they had seen a significant reduction (generally 50% or so) in the number of pre-application enquiries, most particularly those of a “speculative” nature. The recent experience of King's Lynn and West Norfolk Borough Council (which introduced pre-application charging in 2011) shows that pre-application advice has levelled out at about 10% of all applications (later) submitted.

3.2 For Great Yarmouth borough, based on the above data this 50% drop would equate to 80 pre-application enquiries (based purely on the submitted applications; obviously there will be further pre-application enquiries which do not lead on to an application being made). The permitted development forms are in addition to these figures.

3.3 In terms of the 80 pre-application enquiries, 13 of these applications are likely to be associated with “major” applications (*simply put, 10 dwellings or more or 1,000m² or larger for commercial proposals*), whether residential and commercial. These numbers are obviously arising from a small number of applicants, which means that there is a level of uncertainty and inter-year variability likely. For example, if (hypothetical) developer/housebuilder A tends to submit 2-4 “major” applications per year (on average), but determined that it would not pay pre-application fees in principle (no matter what the fee level), this would skew the take-up and therefore money received.

3.4 Over a five-year period, “major” planning applications have equated to approximately 2% of all planning related applications submitted, but in some years the fees associated with those applications have amounted to 60% of the total planning fees received (as the level of planning application fee is linked to the size of the development). Because of the financial investment involved in “major” applications, most such cases are subject to pre-application advice. It is anticipated that in terms of paid for pre-application advice this will continue, subject – of course – to the cost of the service and quality of the advice given, as the pre-application fee is likely to be a small proportion of the total potential development cost.

3.5 Of the remaining 60 proposals (which would later become applications) expected to seek pre-application advice, these effectively will be “minor” (such as residential development under 10 dwellings) and “other” applications (such as householder development). Based on the number of applications received in each category, this would equate to roughly two-thirds “other” and one third “minor”. Many LPAs initially exempted householder development from pre-application charging but now the majority of authorities charge (as householder enquiries can be significant in volume). As mentioned above in paragraph 2.10, there is a chargeable request service for whether a proposal would likely constitute permitted development or not. However, for proposals beyond the scope of permitted development rights, it is likely that, subject to the level of fee charged, that this will still prove beneficial to applicants and uses of the service, although the percentage of take-up is less quantifiable. At the very least there are considerable efficiency savings to be made for the Council from not actively engaging in pre-application discussions unless a fee has been paid.

3.6 It is clearly more difficult to estimate the future number of paid-for pre-application enquiries that would not later turn into formal applications. There are more likely to be focused on “minor” and “householder” applications; to take the example given in paragraph 1.2 of a popular house for sale with hoped-for potential for a large extension or additional dwellings, the Council might receive three or four paid-for enquiries from prospective purchasers. Clearly at most only one of these potential purchasers will end up buying the house and perhaps submitting a formal application later on.

3.7 The flip side of introducing a pre-application charging service is that those not willing to pay for such a service obviously cannot expect – and will not get – the same level of service those paying will get (which will be enhanced from that currently provided). But they would also not get the same level of advice received currently (i.e. without pre-application charging in place) – it will be a reduced level of service, otherwise it would reduce the incentive for anyone to pay pre-application charges. The level of service would effectively be limited to that in paragraph 2.8 above, with only the most general advice given.

4 FEE SETTING OPTIONS

4.1 There is a wide variety of fees charged by different LPAs for providing pre-application advice. Whatever fee mechanism is chosen, it must be easily understood by customers and relatively straightforward for the LPA to administer. Broadly speaking, they fall into three categories:

- Fixed fee related to the type and/or size of application;
- Hourly rate; or
- Charge a proportion of the planning application fee.

Fixed Fee

4.2 Many authorities set a fixed fee for different categories of development, for example, different fees for Majors, Minors and Others.

4.3 An advantage of a fixed fee is that it should be clear what the fee is and that it is required to be paid up-front before the service is provided. It is also of note the Welsh Government recently introduced a statutory pre-application fixed rate fee depending on the four set categories of development.

4.4 One difficulty is setting the appropriate level of fixed fees, because there are different levels of resource input required when dealing with different types of development proposals (and the same types of proposals can also vary considerably in complexity and issues). Therefore there needs to be a balance between setting an appropriate fee to cover most scenarios, whilst not dissuading potential applicants from using the service (if the fee is perceived to be too high). The difficulty is perhaps reflected in the wide range of fixed fees charged by other authorities using this system.

Hourly Charge

4.5 In reviewing other LPA schemes, the use of hourly charges is not generally favoured. This is on the basis they can be tricky to administer and a final fee is difficult to estimate accurately in advance. This potentially has the additional expense for the LPA of sending out invoices after the work is carried out, and there is likely to be time and effort required in chasing outstanding fees, which in some cases may not be recouped.

4.6 An hourly charge must be based on a “blended” officer rate, which takes account of salaries and on-costs (heating, lighting, etc). It will not always be known in advance who precisely will be involved in particular pre-application discussions from the Council side, and for how long, but it could range from Planning Officers up to Directors, whose hourly rate will obviously vary significantly. The overall blended rate for Council officers is about £64 per hour (at current 2018 values).

4.7 The area where time charging may be potentially useful, however, is if there is further advice is sought by the after receipt of initial pre-application advice. The main fee would already have been paid and the extra work can be charged on top of this. (In addition, some authorities do offer a one-off hourly rate for discussing a refused application, which the LPA plans to consider introducing.)

Percentage of the Planning Application Fee

4.8 Those authorities using a proportionate/percentage approach consider that this allows the fee to reflect the proposed development and the resources likely in pre-application advice. Planning application fees are set nationally and attempt to reflect the complexity and scale of development. A potential downside would be the very small pre-application fee associated with small development which would not necessarily reflect the time and effort needed to deal with these small proposals. There would therefore have to be minimum fees set to cover some forms of development. In addition, the potentially high level of charges for advice for the bigger sites may well dissuade applicants from entering pre-application negotiations, and which is unlikely to be in the best interests of all parties.

Neighbouring authorities' pre-application advice regimes

4.9 The neighbouring local authorities to Great Yarmouth Borough charge as follows:

- [Norwich City Council](#) – charges a percentage of the application fee (15%) for large proposals and a flat rate for other applications (since 2009);
- [North Norfolk DC](#) – charges a flat fee which varies depending on the type and scale of the development proposal and offer a bronze and silver service with a higher fee (silver) depending on the detailed response to the query and response time sought. Maximum fee £72,000 (including VAT);
- [South Norfolk Council](#) – of the authorities above, they adopted the pre-application charging most recently (in 2015), and use a sliding fee scale depending on the scale of the proposal, ranging from householder, small, medium and large scale proposals. Fees range from £43 to £3,810 including VAT. Advice and information varies according to the information given, which is set out in the service;
- [Waveney/East Suffolk Council](#) – combination of flat and sliding scale for residential and commercial fees from £35 to £4,500 plus VAT for schemes of 50 dwellings, beyond which there are fees of £250 to have meeting to negotiate the fee on large scale applications. Introduced in October 2014.

4.10 All the above authorities' pre-application charging systems include full exemptions or reduced fees (50%) for Parish Councils, charities and voluntary groups plus full exemptions which involve adaption development for the registered disabled. In addition, Waveney/East Suffolk does not charge for schemes located in the areas covered by Local Development Orders (and which meet the requirement of the relevant order) or for schemes delivering 100% affordable housing.

Planning Performance Agreements

4.11 None of the above authorities are readily promoting Planning Performance Agreements or state a fee within their charges schedules. A Planning Performance Agreement (PPA) is a project management tool that the LPA and applicant can use to agree timescales, actions and resources for handling particular applications. The Government promotes their use for large or complex planning proposals. A number of London boroughs in particular promoted the use of such agreements for which there is a charge depending on the scale of the development, often a percentage of the planning fee or fixed cost. Examples vary between £40,000 to £100,000.

4.12 In terms of income associated with pre-application charging, this obviously differs between authorities depending on the overall number and scale of applications that individual authorities deal with on an annual basis. The status of the Local Plan and the quality of the response also influences the take up levels.

5 FEE SETTING

5.1 In setting the fees, the Council needs to be mindful that fee income from the service must not exceed the costs of providing the service.

5.2 The experience of other authorities is that once charging for pre-application advice was introduced, pre-application enquires saw a 50% reduction and also (logically) a corresponding increase in the number of applications submitted for which there had been no formal pre-application advice sought.

5.3 The result of this was that more such applications tend to require modification and discussion at the application stage, and the number of invalid applications also rose (with an increase in administration costs and officer time in dealing with such applications). Therefore whilst there is potential for increased income and efficiency savings as a result of a reduction in the number of enquiries as a result of fee-charging (as well as potentially delivering some better quality applications), there will be some additional costs in other parts of the system.

5.4 The fee charges will cover only the guidance of the determining authority and excludes consultation with statutory bodies such as [Norfolk County the Highway and Local Lead Flood Authority](#) and [Environment Agency](#) and the drainage bodies, all which have their own pre-application processes (chargeable in some cases). However, for larger pre-application proposals, some time allowance is made for further consideration of proposals after receipt of the original advice, which could include knowledge of (say) the Highway Authority's view.

5.5 Norwich City Council and King's Lynn and West Norfolk Borough Council do offer an enhanced (faster) service by charging a further percentage fee on top of their standard fee - an additional 20 % of the application fee in the case of Norwich and additional 5% of the planning application fee for King's Lynn and West Norfolk BC.

5.6 As stated above, there is a variation in fees between neighbouring authorities. For Great Yarmouth, where a number of regeneration schemes are being promoted and viability can be an issue, overly prescriptive or unit-based charging could be counter-productive.

6 PREFERRED OPTION AND RECOMMENDATION

6.1 In reviewing the schemes of nearby districts a fixed fee option based upon four categories of development is considered the preferred option for the Borough and users of the service. Set fees and service delivery are considered the most transparent and straightforward with the payment being paid up front as per the submission of a planning application. From the users' perspective, it should be clear in setting out what users will get in return for payment and when it will be received.

6.2 It is recommended that the Council adopts a fee schedule and a service commitment to take effect from 1st October 2018 (see Appendix 1 for the Fee Schedule). These are recommended to be:

- i) An exemption for proposed development in the Local Development Order (LDO) areas, where proposals would likely meet the stated criteria of the LDO. If it appears that a proposal would likely exceed the parameters of the LDO, free pre-application discussions would be terminated at that point;
- ii) An exemption for proposed affordable-only housing schemes and also for potential housing adaptations for registered disabled people;
- iii) An exemption for charities, voluntary groups, and parish councils
- iv) The householder development to be consistent with the charge of the permitted development confirmation scheme;
- v) Planning Performance Agreements should also be included as an option (in other words, a bespoke arrangement for particular schemes, typically the very largest). By definition, it is not possible to set out the scale of charges for a PPA, but it would be unlikely to be below £10,000 in any particular case.

6.3 The proposed exemption for development in the LDO areas reflects that in Waveney District (East Suffolk) Council. Charging pre-application fees in the LDO areas could potentially act as a deterrent to businesses considering setting up/expanding there, and would run counter to the aims and rationale of setting up the LDO areas in the first place.

6.4 The suggested option incorporates a local fee schedule based on projected officer time and overheads in dealing with the pre-application enquiries (see Appendix 1). The detailed figures (all exclusive of VAT) are:

- i) Works to dwellings which fall outside the permitted development regime (extensions to buildings) alterations to buildings (excluding use) and advertisements – **£92**;
- ii) Minor development (9 dwellings or fewer or equivalent commercial floorspace): **£423 – £582**;
- iii) Medium scale development (10-199 dwellings or equivalent commercial floorspace): **£1,148 – £1,626**;
- iv) Major development (200 dwellings+ or equivalent commercial floorspace): **£2,364 – £2,926**.

6.5 Based on the assumption of the current average number of pre-application enquires of 160 and a drop of 50% of pre-application enquires that later result in an application – as experienced elsewhere – this would potentially amount to 80 fee paying enquires. (As stated in paragraph 3.6, this of course does not take in to account pre-application advice that does not materialise into a later planning application).

6.6 Split between householder, minor, major and large scale applications and reflecting those recent planning applications in the past years subject to pre-application advice, the projected income **could** be in the region of £36,000 per annum (based on the scale of fees proposed) **if** the scheme were to be fully embraced by the development industry. If the fee charging is introduced in October 2018 (as recommended) this **could** amount to a projected income in the region of £15,000 for the remainder of the current (2018/19) financial year.

6.7 However, it has to be borne in mind however that this is an arithmetic projection only. Information from councils elsewhere (both factual and anecdotal) is that in the early stages of charging for pre-application advice, the take-up can be slow. This is unsurprising – some developers (particularly for larger schemes) who have been used to receiving free advice as a matter of course may be unhappy and unwilling to engage (at least initially); there will be a temptation for them to rush through pre-application discussions on potential schemes before a chargeable service commences, leading to a lull in similar schemes in the early months of its implementation (at least). Some will also be cautious about paying for the service until they have seen/heard information from other developers that the pre-application charge is perceived to be worthwhile.

6.8 This emphasises how important it is that the quality and timeliness of pre-application responses are at (or beyond) the standard set out in the fees schedule. In addition, there are other factors referred to elsewhere in the report – the state of the wider housing market and the economy generally plays a significant role in affecting the health of the local development industry.

6.9 As a result, a more cautious and prudent approach to projecting fee income is taken by officers, especially for the first six months of the scheme (until the end of 2018/19). Income ranging from **£6-8,000** is projected for the period 1st October 2018-31st March 2019. **£15-18,000** income is currently projected for 2019/20, although this

will be reviewed closer to the end of the current financial year (when some actual figures and feedback from the development industry are known).

6.10 It is considered inevitable that minor changes to the regime will be necessary as it beds in, even if they are just to provide greater clarity on particular points or better guidance. Delegated approval is therefore sought to allow the Director of Development, in consultation with the Chairman of the Policy & Resources Committee to make such changes as are considered appropriate. Such changes would not consider any more fundamental matters (such as the overall fee levels and categories); the 12-month review is the time to consider such matters.

7 FINANCIAL IMPLICATIONS

7.1 The proposal will lead to increased revenue income and will help cover some of the costs of providing the Planning service. Pre-application charging has taken somewhat longer to bring in than first thought, and it is felt appropriate to take a conservative approach to the amount projected to be raised (to begin with, at least). The amount projected is **£6-8,000** for the remainder of 2018/19, with a projection for 2019/20 made closer to the end of the current financial year.

7.2 The amount of money raised is expected to increase over time (due to greater take-up of the service). However, precise figures cannot currently be projected with any certainty and how realistic these figures are will depend on the state of the local property market, the timing and size of particular (pre-)applications and developer willingness to enter into paid-for pre-application discussions. The 12-month review will enable the Council to take stock of the situation and amend the regime accordingly.

8 RISK IMPLICATIONS

8.1 The introduction of a pre-application charging service does run a risk that it may be perceived to be a further barrier to development in the Borough (as an additional charge). However, pre-application charging is not mandatory, so nobody has to do it if they do not wish to. The rates are proposed to be set at a sensible level, which would hopefully not put off too many applicants (particularly on larger schemes), and high-quality advice from the Council should hopefully pay for itself from an applicant's perspective (through leading to a higher quality application, which should hopefully be determined more quickly, with greater certainty). The 12-month review will also enable the Council to understand how the scheme has operated, and make appropriate adjustments. Officers will seek and receive regular feedback from the members of the Developers' and Agents' forum at the formal meetings, and will also receive more informal feedback from applicants/potential applicants through normal dialogue.

8.2 There is a risk that some potential applicants will try to sidestep the charges by seeking advice informally from officers (including from outside Planning & Growth) and/or councillors. For this reason, it is vital that **all** officers and councillors are alert to this possibility and direct such requests to Planning & Growth officers in the first instance.

8.3 The Council's own housing company Equinox should be treated no differently to any other potential applicant in relation to pre-application advice. To do otherwise would risk the Council being accused of practicing "double standards".

9 CONCLUSIONS

9.1 It is considered that a good, well-structured, pre-application service will play a

key role in boosting the delivery of sustainable development and growth within the Borough. The introduction of a system with charging and service standards will ensure that this part of the service is as efficient and effective as possible, whilst covering part of the cost of the service, and increasing the quality of applications later submitted.

10 RECOMMENDATIONS

Policy and Resources Committee is asked to recommend that Full Council resolves to agree:

- a) That the Council introduces a system of charging for pre-application advice for a Great Yarmouth, with effect from 1st October 2018 as detailed in Section 6 of the report;
- b) That the Development Director, is given delegated approval to produce, finalise and refine the supporting guidance, detailed fees schedule and application forms;
- c) That there will be a formal review of the first 12 months' operation, with Policy and Resources Committee considering a paper with recommendations for any more significant changes in autumn 2019.

11 BACKGROUND PAPERS

[National Planning Policy Framework](#) (2012 version)

[Planning Policy Practice Guidance](#)

[Planning Advisory Service – A Material World – Charging for pre-application advice](#)

Areas of consideration: e.g. does this report raise any of the following issues and if so how have these been considered/mitigated against?

Area for consideration	Comment
Monitoring Officer Consultation:	N/A
Section 151 Officer Consultation:	See Finance sections above
Existing Council Policies:	Covered in report
Financial Implications (including VAT and tax):	Covered in report
Legal Implications (including human rights):	Covered in report
Risk Implications:	See Section 8 of the report
Equality Issues/EQIA assessment:	N/A (although pre-application advice for some housing adaptations for disabled people are proposed to be free of charge)
Crime & Disorder:	N/A
Every Child Matters:	N/A

Appendix 1

Great Yarmouth Borough Council – Pre-application fees schedule – October 2018

The following sets out the details that you need to submit for us to be able to answer your enquiry and identifies the information which is essential and additional information which will help us to give a fuller response.

The tables set out the fee (**excluding** VAT) for each of the four pre-application categories.

Exemptions

- Parish Councils, Charities, Voluntary Groups, 100% affordable housing sites = free
- Adaptations for disabled people = free
- Enquiry relating to a refused or withdrawn planning application or follow up enquiry within 6 months of the original = free
- Schemes located in areas covered by Local Development Orders and which meets the requirement of the relevant with the terms of the relevant Order = free

* Where it is not possible to secure a comment from relevant external consultees within the above timescales, the Council will respond and forward the consultee comments separately (as appropriate)

1) Works to an existing dwelling (extensions or outbuildings), alterations to buildings (excluding use) and advertisements

Information we need from you	
Essential	<ul style="list-style-type: none"> • Location plan showing where the site is • Plan showing the position of the proposal in the site
Desirable	<ul style="list-style-type: none"> • Sketch drawings showing what the proposal looks like from each side, ideally including the dimensions • Photographs of the site and its surroundings

Information we'll provide in our reply
<ul style="list-style-type: none"> • Any relevant previous planning decisions • Summary of the main planning considerations and objectives of relevant policies • Comments on the design and relationship to neighbouring uses • Any restrictions which should be considered (Tree Preservation Order etc)

Costs and time taken for reply		
	Cost	Final response
Written reply	£92	Within 10 working days or an agreed extension of time

2) Minor Development

- Residential development of between 1 and 9 dwellings or less than 0.5 hectares
- Non-residential development of less than 1000 sq m floorspace or 1 hectare
- All Changes of Use

Information we need from you	
Essential	<ul style="list-style-type: none">• Location plan showing where the site is• Plan showing the position of the proposal in the site
Desirable	<ul style="list-style-type: none">• Sketch drawings showing what the proposal looks like from each side, ideally including the dimensions• Photographs of the site and its surroundings• Project brief / Design and Access Statement

Information we'll provide in our reply	
<ul style="list-style-type: none">• Any relevant previous planning decisions• Summary of the main planning considerations and objectives of relevant policies• Comments on the mix of development and need for affordable housing• Transport and highway issues <i>*(may not include advice from the Highway Authority and/or Highways England unless already known)</i>• Comments on the design and relationship to neighbouring uses• Any restrictions which should be considered (Tree Preservation Order etc)• Financial contributions – Section 106 legal obligations	

Costs and time taken for reply				
	Cost	Initial contact	Meeting	Final response
Written reply	£423			Within 20 working days or an agreed extension of time
Meeting in office and written reply	£523	Within 5 working days	Within 15 working days	Within 10 working days of meeting or an agreed extension of time
Meeting on site and written reply	£582	Within 5 working days	Within 15 working days	Within 10 working days of meeting or an agreed extension of time

3) Medium development

- Residential development of between 10 and 199 dwellings or between 0.5 and 4 hectares
- Non-residential development of between 1000 and 9,999 sq m floorspace or 1-2 hectares

Information we need from you	
Essential	<ul style="list-style-type: none"> • Location plan showing where the site is • Plan showing the position of the proposal in the site • Project brief / Design and Access Statement
Desirable	<ul style="list-style-type: none"> • Sketch drawings showing what the proposal looks like from each side, ideally including the dimensions • Photographs of the site and its surroundings

Information we'll provide in our reply
<ul style="list-style-type: none"> • Any relevant previous planning decisions • Summary of the main planning considerations and objectives of relevant policies • Comments on the mix of development and need for affordable housing • Comments on sustainability • Transport and highway issues <i>*(may not include advice from the Highway Authority and/or Highways England unless already known)</i> • Comments on the design and relationship to neighbouring uses • Any restrictions which should be considered (Tree preservation Order etc) • Financial contributions – Section 106 obligations GYBC • Additional bodies you may wish to consult before submitting an application

Costs and time taken for reply				
	Cost	Initial contact	Meeting	Final response
Written reply	£1148			Within 25 working days or an agreed extension of time
Meeting in office and written reply	£1392	Within 5 working days	Within 20 working days	Within 15 working days of meeting or an agreed extension of time
Meeting on site and written reply	£1626	Within 5 working days	Within 20 working days	Within 15 working days of meeting or an agreed extension of time

4) Major development

- Residential development of 200 dwellings or more
- Non-residential development greater than 10,000 sq m floorspace
- Proposals requiring Environmental Impact Assessment

Information we need from you	
Essential	<ul style="list-style-type: none"> • Location plan showing where the site is • Plan showing the position of the proposal in the site • Project brief / Design and Access Statement
Desirable	<ul style="list-style-type: none"> • Sketch drawings showing what the proposal looks like from each side, ideally including the dimensions • Photographs of the site and its surroundings

Information we'll provide in our reply	
	<ul style="list-style-type: none"> • Any relevant previous planning decisions • Summary of the main planning considerations and objectives of relevant policies • Comments on the mix of development and need for affordable housing • Comments on sustainability • Transport and highway issues <i>*(may not include advice from the Highway Authority and/or Highways England unless already known)</i> • Comments on the design and relationship to neighbouring uses • Any restrictions which should be considered (Tree Preservation Order etc) • Financial contributions – Section 106 legal obligations • Additional bodies you may wish to consult before submitting an application • Information relating to Environmental Impact Assessment Regulations

Costs and time taken for reply				
	Cost	Initial contact	Meeting	Final response
Written reply	£2364			Within 25 working days or an agreed extension of time
Meeting in office and written reply	£2645	Within 5 working days	Within 20 working days	Within 15 working days of meeting or an agreed extension of time
Meeting on site and written reply	£2926	Within 5 working days	Within 20 working days	Within 15 working days of meeting or an agreed extension of time

5) Planning Performance Agreements

Contact Great Yarmouth Borough Council to discuss – all will be bespoke.

Great Yarmouth Borough Council – October 2018