

Planning Application Fee Increase

The Town & Country Planning (Fees for Applications, Deemed Applications and Site Visits) (Wales) Regulations 2015 came into effect on the 1st October 2015.

Planning application fees are set nationally by Welsh Government and this increase which provides an average of 15% across the board is the first since 2009. Planning fees in England were similarly increased in 2012. Based on average fee income over the last 5 years, the increase is worth around £79,000 to Bridgend.

In a letter to all local planning authorities (copy attached) the Minister for Natural Resources outlined the importance of the planning service in delivering wider benefits to our communities and nationally. He also indicated an expectation that the uplift in income should be used by local planning authorities to improve services to its customers and be retained by the planning service, along with an appropriate amount of the Authority's budget, in order to provide and deliver the service customers expect.

Notwithstanding the Minister's expectations the planning fee increase will help to stem a further reduction in service levels as part of the medium term financial strategy but unfortunately will not be used to improve existing services. Whilst the importance placed on the planning function is encouraging, the new fees regulations also include a provision (Regulation 9) that requires local planning authorities to refund planning fees if applications are not determined within a certain timescale and agreement cannot be reached on extending this time period. This regulation will also apply to applications that are awaiting the completion of a legal agreement which, through no fault of the local planning authority, may be delayed. Planning fees for major schemes can run into many thousands of pounds.

There is concern that introducing this principle in the planning process will place increased emphasis on speed of determination rather than focussing on the quality of a decision and outcomes. This will result in greater pressures on the planning service in Bridgend in terms of performance particularly as the planning service has reduced by almost a half over the last 6 years due to budget cuts. Regulation 9 will create an incentive on a local authority to determine an application before important matters have been fully understood or alternatively to refuse consent. It should be noted that Bridgend, in common with many local planning authorities in Wales, opposed this proposal at the consultation stage.

Regulation 9 will apply to all planning applications submitted after the 1st October 2015. Whilst the vast majority of applications submitted to Bridgend are determined well within timescales, delays occur for a number of reasons. For example, the number of consultees to a major planning application can be quite extensive and local authorities have no control whatsoever on their response timescales, which will impact on the determination time particularly if it is critical to an informed decision. Similarly additional information is often required during consideration of an application as negotiations take place with developers, which may also extend the time taken to determine an application.

Officers will continue to monitor determination dates to ensure that where necessary an extension of time to determine is sought and agreed with the applicant. In the case that no agreement is reached then the risk of refunding application fees will inevitably increase. In the case of applications that are deferred at Committee it may be necessary to consider re-convening the

meeting or holding a separate special meeting out with the normal Committee cycle in order to ensure timescales are met.

The Leader has responded to the Minister's letter expressing concern over the introduction of Regulation 9 and requesting information or evidence as to why this approach has been adopted and how it will improve the planning process. The Committee will be advised if or when a response is received.

For information

Recommendation:

That the report of the Corporate Director Communities be noted.

**MARK SHEPHARD
CORPORATE DIRECTOR COMMUNITIES**

Background Papers

None.

Carl Sargeant AC / AM
Y Gweinidog Cyfoeth Naturiol
Minister for Natural Resources



Llywodraeth Cymru
Welsh Government

Eich cyflwr ref
Ein cyflwr ref

Mr Darren Meppam
Chief Planning Officer
Bridgend County Borough Council,
Civic Offices, Angel Street
Bridgend, CF31 4WB

MS
→ SARGAUNT / SARGAUNT

19 August 2015

Dear Mr Meppam

Resourcing the Planning Services of Local Planning Authorities.

I am writing to you to ensure that adequate resources are made available to provide a positive, enabling planning system at the local level. An adequately resourced statutory planning service, both in terms of preparing and keeping up to date Local Development Plans (LDPs) and deciding planning applications is essential and brings many benefits to businesses and the community, providing local authorities with the essential tools to provide leadership when planning for places. Investing in planning is a sound investment for local authorities. It provides a mechanism to secure essential local infrastructure in a time of austerity, creates job opportunities and can increase the local revenue base.

The proposals I have taken forward in the Planning (Wales) Act 2015 will support the creation of a positive enabling planning service. I expect every local authority to play a full part in delivering resilient planning services locally. Through the actions that I have taken Wales will have an up to date plan led approach which we can all be proud of. In the development management system new measures will help applications to be dealt with promptly, in a consistent manner, providing certainty for developers and communities.

I have provided resources to support local delivery of positive and enabling planning services. I recently made new planning fees legislation¹ that will come into force on 1 October 2015. This legislation will bring forward an overall increase in planning fees by 15 percent, as well as other changes that will increase the revenue available to local planning authorities. Averaged across the 25 local planning authorities this amounts to an increase in annual fee income of around £80,000.

With this increase in fees I expect renewed focus by local planning authorities on improving their service to customers. I am all to aware of the austerity local authorities are facing across all service areas but I expect this money to be retained for use by the planning

¹ The Town and Country Planning (Fees for Applications, Deemed Applications and Site Visits) (Wales) Regulations 2015

service, as I see this increase as one of the measures that can help in delivering much needed resilience in our planning system. This means that local authorities need to commit an appropriate amount of the authority's budget to their planning service to provide the service customers expect and deliver the wider benefits planning can bring to our communities and nation.

From this November your authority will produce an annual performance report for the planning service which is a good opportunity to reflect on what has gone well during the year and identify those areas of the planning service where improvements could be made. In the meantime, indicators showing the performance of every local planning authority in Wales are published every quarter on the Welsh Government website. This is a further opportunity for your authority to reflect on its service to customers and the resources that support it.

Yours sincerely

Carl Sargeant AC / AM
Y Gweinidog Cyfoeth Naturiol
Minister for Natural Resources