

SUBJECT: Development Management Enhanced Services Proposals

MEETING: Individual Cabinet Member Decision (Enterprise)

DATE: 14th February 2018

DIVISION/WARDS AFFECTED: All

1. PURPOSE:

- 1.1 This report seeks the Cabinet Member for Enterprise's approval to introduce additional discretionary fee-earning services within Development Management, to be rolled out on a trial basis as resources allow.
- 1.2 The proposals seek to raise additional income to address financial pressures, and are in response to the increasing market demands to become more efficient and timely in providing constructive advice. In seeking to develop these services the evidence-base and business case to support the structure is set out in this report. The proposals seek flexibility to roll out additional services when possible, building on the success of the recently piloted fast-track householder application service as well as other additional services now offered.

2. RECOMMENDATIONS:

- 2.1 To authorise the following:
 - The introduction of additional fast track services and associated future fee increases set out in this report and in Appendix A from 1st March 2018;
 - The introduction of new fee income services involving charging for fast track discharge of conditions for listed building consent and planning applications.
 - To authorise the Head of Planning, Housing and Place-Shaping to review the target periods (days) for fast track performance and revise accordingly.
 - To authorise the Head of Planning, Housing and Place-Shaping to agree Planning Performance Agreements where appropriate.

3. KEY ISSUES:

- 3.1 Monmouthshire has been offering a formal pre-application advice service since April 2014 and it has been well received by both customers and staff. The existing service that has been running successfully for the last few years, was developed by engaging with our customers and asking them what matters to them. We discovered that most importantly applicants wanted consistency and clarity in advice, speed in decision making and to maintain an open dialogue with their case officer.
- 3.2 The pre-application service has been fine-tuned over the last 12 months offering additional services resulting in the development of a fast track system, where applications could be dealt with more quickly for an additional fee. This was introduced in part following single cabinet member approval in April 2017. Under these changes a fast track system was available to Level 3 and 4 pre-application advice requests, householder planning applications, certificates of lawfulness and

applications for listed building consent where they are accompany a householder application. At this point it was considered prudent to trial a few services in order to understand what could be achieved and what the resource implications would be. From this trial we have gathered valuable data and evidence to provide confidence in rolling out the 'fast track' options to other services.

- 3.3 The fast track services have been well received, especially in relation to householder applications where we have received 23 (as at 14/12/17) requests amounting to £1,955 in additional fee income. To date, only one application has missed the fast-track deadline of 28 days, and this was due to the application being called to Planning Committee for a decision. Unfortunately it has not been possible to roll out the fast-track pre-application advice service to date due to resource pressures in the Highways service.
- 3.4 Through offering these additional services, we have received requests for additional applications to be fast tracked, for example minor planning applications and listed building consent applications. In order to match this demand and provide a service that suits the customer it is proposed as part of this report, to offer a wide range of services with a fast track option. *As and when resources allow*, the additional fast-track services can be offered to the customer meeting their individual needs. In addition this would help facilitate a wider assessment of the demand for enhanced services allowing a better and more accurate forecasting of fee income.
- 3.5 The additional services would include more types of planning applications to be dealt within a shorter than statutory period.
- 3.6 For major and more significant development proposals, the statutory eight-week period is rarely realistic, although customers can seek some certainty regarding timely decision making. This can be secured by the applicant and the Local Authority to entering into a Planning Performance Agreement (PPA) for an agreed fee. This would normally relate to applications of more significant development such as larger retail/industrial buildings or residential developments. This voluntary agreement would vary depending on the proposed development, however it would set out agreed timescales and agreed fees for processing applications. It should cover the pre-application, application and possibly the post application stages of the development encouraging joint working with the local authority and the applicant. Other authorities in South East Wales already offering this form of Planning Performance Agreement service include Cardiff and Rhondda Cynon Taff. It should be noted that all of the additional fees referred to relate to certainty of timescale - not a guaranteed outcome (i.e. obtaining planning permission).
- 3.7 In addition to offering fast track services for a wider range of application types, it is proposed to include a fast track service for discharging conditions on planning and listed building consent applications. These applications seek to agree details of elements of the approved proposal, for example drainage details, windows details or materials. There is currently a statutory fee for this service where it relates to a planning application but not where it relates to a listed building consent application. Therefore this would be a new charge.

- 3.8 The proposed fees are set out in the appendix to this report. The enhanced services fees have been set on the basis that there is a 50% increase in the statutory fee in order to deliver the service in a reduced time, making this transparent and fair across the spectrum. As with the current system, if the fast-track timescale is not met and a small extension of time is not agreed by the applicant, the additional fast track element of the fee is returned to the applicant. The remainder of the fee is a statutory fee and is not refundable. The timescales set may be amended by the Head of Planning, Housing & Place-shaping in the light of monitoring to make the service as attractive to customers as is feasible.
- 3.9 It is important to note that the statutory services will not be affected by the offer of enhanced provisions. The target to meet the 8 week target for 80% of applications is still a key priority for the department and will continue to be monitored and managed.
- 3.10 In addition to offering the ability to fast track additional services, it is also proposed to amend the current fee schedule for pre-application advice in relation to Level 2 Minor Developments. Currently a level 2 application relates to development for 1-9 residential units or where the residential site is less than 0.5 ha. It is proposed to change this to 1-4 residential units on sites of less than 0.5 ha given the significant level of work in looking at such proposals. Sites for 4-9 dwelling units or for residential proposals on sites over 0.5 ha above would be given the due consideration necessary under a level 3 pre-application enquiry.
- 3.11 The proposals are a response to increasing demand from applicants for decisions to be made in a shorter timescale and are supported by a successful trial of initial fast track services that have shaped these new provisions. The numbers of fast track requests will be subject to ongoing review and monitoring to identify trends and areas for improvement of the service on an ongoing basis. In addition the provision of these services, as well as providing more options for the customer, provide necessary additional income for the department in order to meet income targets.
- 3.12 In addition to the above, Cabinet Member approval is sought to raise the proposed pre-application and fast track fees in line with any Welsh Government increases in the statutory fees. The proposed fast track fees are set at 50% increase in the standard application fee and any future increase would maintain this proportionate uplift. This is in order to further future proof the service and ensure that the offer can react in an appropriate and positive manner.

4. OPTIONS APPRAISAL

- 4.1 The improvements to the current services, as proposed as part of this report are based on an enhancement of the existing service provision, including the statutory requirements of the department and the additional provisions offered by the Planning Department. The proposals are based on market research and data collected as part of the ongoing review of pre-application enquiries. Therefore there are limited other options. Having said this, there is the 'do nothing' option. This would

not provide a service that the customer is looking for, nor would it provide an additional stream of income to meet required targets. Therefore this is not considered a suitable alternative to creating a forward thinking, innovative and responsive planning service.

- 4.2 As stated the offer is under regular review with data collated on the numbers of applications, the time taken and the fee income received. In addition customer feedback is regularly taken into consideration and amendments to the processes are actioned where and when necessary. Roll out of the services will also be dependent on capacity and resource, and the services will be reviewed if they cannot be delivered.

5. EVALUATION CRITERIA

- 5.1 An evaluation assessment has been included at Appendix B for future evaluation of whether the decision has been successfully implemented. The evaluation of success will be reported to the Economy and Development Select Committee each September/October as part of the Planning Service's Annual Performance Report. Planning Committee members are invited to that meeting.
- 5.2 It is important to note that the fast-track proposals maintain the statutory consultation periods for stakeholders including neighbours and community councils. The proposals do not affect the Scheme of Delegation, i.e. the provisions for applications to be referred to the Delegated Panel or Planning Committee.

6. REASONS:

- 6.1 The recommendations propose to enhance the current limited offer of fast track services. As stated this is a response to customer demands and market requirements. This would ensure that appropriate development is facilitated in an efficient way where time pressures are a particular concern.
- 6.2 To provide the opportunity for the department to enter into voluntary planning performance agreements with applicants in order to provide focus to the application, set out agreed parameters and improve working relationships on larger development projects.

7. RESOURCE IMPLICATIONS:

- 7.1 Providing a priority or fast track service for applicants will require efficient processes and effective time and project management as well as monitoring. It is however anticipated that this will be covered within the current staffing levels of the department. This has been achieved by focussing a proportion of the Development Management Area Managers' time on managing fast track applications and prioritising this element of service provision. In the long term if demand increases significantly there may be additional staff required to meet the demand, however this will be resourced through the additional income generated from the service.
- 7.2 There may be some initial challenges in resourcing the enhanced services for larger applications but the intention of this report is to future-proof the service and allow officers to experiment, providing the fast track option as and when we can resource

it and the customer requests it. The trial period has been successful for householder applications, but the demand for larger scale applications is still somewhat unknown. However, having the option to provide these services will give the Planning Service added flexibility. Indeed, the additional fees offered by fast track and PPAs may well mean the Planning Service can employ an additional officer(s) to meet this demand, as and when it arises. As noted above, this enhanced offer will be under regular review.

8. WELLBEING OF FUTURE GENERATIONS IMPLICATIONS (INCORPORATING EQUALITIES, SUSTAINABILITY, SAFEGUARDING AND CORPORATE PARENTING):

There are no significant equality impacts identified in the assessment (Appendix C). While it is acknowledged that the fast-track service involves the payment of an additional fee, and therefore is not accessible to those on low incomes, planning application fees are payable by applicants seeking to undertake development proposals, such as home extensions. The proposed fee is a very small proportion of the cost of carrying out such works, and so it is highly unlikely that the additional fee is unduly disadvantageous to those in financial difficulty, because they are unlikely to be service customers in the first instance. Moreover, the fast-track service is an optional extra: the statutory service remains available for all customers.

There may be beneficial impacts economically or to quality of life from quicker decisions in some instances.

Stakeholders would continue to have the full statutory consultation period and so would not be disadvantaged as decisions can currently be made immediately after that period ends.

The actual impacts from this report's recommendations will be reviewed every month through the existing monitoring and review programme. The criteria for monitoring and review will include: collating data on numbers of applications, revenue generated, officer time taken to complete, time taken to respond, types of applications and general customer feedback.

9. CONSULTEES:

MCC Development Management Staff - responded stating that the Government-set planning application fees may increase in 2018 and so approval should be sought to increase the pre-application fees in line with the statutory fee increases in order to further future proof the service.

MCC Planning Policy

MCC Heritage

Senior Leadership Team

MCC Planning Committee (considered at the meeting held on 9th January 2018) - Initial concern was expressed that a two tier service might be provided, although it was explained that applicants will not be disadvantaged as there would still be a firm commitment to meeting the statutory 8 week determination target and to ensure democratic scrutiny is maintained via the Delegation Panel or Planning Committee if a fast track application is subject to objection. The level of fees to be charged are a fraction of what is being spent on the proposed developments. The statutory pre-application advice service fee is explicit in the regulations.

The priority is about focussing on achieving the outcome of the application. Finally it was noted that the success of the proposal, if approved, will be reported as a part of the Annual Performance Report (APR) for the Planning Service. Committee endorsed the proposals, for subsequent consideration and authorisation by the Cabinet Member for Enterprise.

10. BACKGROUND PAPERS:

See appendix A - Proposed Charging Schedule

See appendix B - Future Evaluation of Implementation

See appendix C - Future Generations Evaluation

11. AUTHOR:

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Appendix A

Previously Approved Fees April 2017

Service	Statutory fee and timescale	Current fee	MCC Fast Track proposed fee
Pre application advice service	Varies		
Level 3 Major Development	£600	MCC Bespoke £850	FT £1700
Level 4 Large Major Development	£1000	MCC Bespoke £1250	FT £2500
Applications			
Householder	£190 – 8 weeks		£275 within 28 days
Listed Building Consent concurrent with Householder (above)	None		£275 within 28 days

Proposed Changes from 1st March 2018

Service	Current fee and timescale	MCC Fast Track proposed fee/timescale
Pre application advice service	Varies	
Level 1	£25 statutory /£60 MCC bespoke	£120
Level 2	£250 statutory /£120 MCC bespoke	£240
Applications		
Householder extension to 2 or more	£380 – 8 weeks	£570 - 28 days
Change of Use	£380 – 8 weeks	£570 -42 days
Adverts	£100/£330 – 8 weeks	£150/£495 – 42 days
Car Parks and access	£190 – 8 weeks	£275 – 42 days
Agricultural glass houses and poly tunnels	£70/£2150 – 8 weeks	£105/£3225 – 42 days
New Dwellings (1-9 dwellings only)	Varies – 8 weeks (£380 per dwelling unit if a detailed application or £380 per 0.1 ha if an outline application)	50% increase in fee – 42 days
Non- Residential (<1000sqm new floorspace)	Varies - 8 weeks	50% increase in fee – 42 days
Agricultural Buildings	£70/£2150 – 8 weeks	£105/£3225 – 42 days
Plant or Machinery	Varies – 8 weeks	50% increase in fee – 42 days
Other works	£190/Varies – 8 weeks	50% increase in fee – 28 days
Discharge of Conditions Planning applications	£30/£90	£45/£142- 42 days
Discharge of Conditions on Listed Building Consent	None	£142 - 42 days
Non Material Amendments	£30/£95 - 28 days	£45/£150 – 14 days

Appendix B Evaluation Criteria – Cabinet, Individual Cabinet Member Decisions & Council

Title of Report:	Development Management Enhanced Services
Date decision was made:	
Report Author:	Mark Hand

What will happen as a result of this decision being approved by Cabinet or Council?

The desired outcome is to see quicker turnaround times for applications improving the offer to the customer and generating income for Development Management.
The decision will offer an enhanced level of service meeting customer needs where time is of particular concern.

To be completed at 12 month appraisal

Was the desired outcome achieved? What has changed as a result of the decision? Have things improved overall as a result of the decision being taken?

What benchmarks and/or criteria will you use to determine whether the decision has been successfully implemented?

Criteria will include:

Increase in number of fast track applications by 25%, especially non-householder applications.

Number of refunds to be less than 10% of total fast-track applications.

On-going monitoring of standard service provision to ensure that timescales and service is not detrimentally affected beyond the normal parameters as identified in current monthly reviews of data by DM Management.

Customer service review will be carried out after 9 months in order to assess quality of customer experience and satisfaction.

To be completed at 12 month appraisal

Paint a picture of what has happened since the decision was implemented. Give an overview of how you fared against the criteria. What worked well, what didn't work well. The reasons why you might not have achieved the desired level of outcome. Detail the positive outcomes as a direct result of the decision. If something didn't work, why didn't it work and how has that effected implementation.

What is the estimate cost of implementing this decision or, if the decision is designed to save money, what is the proposed saving that the decision will achieve?

There is no proposed immediate resource requirement.

The proposed fee income is estimated at £4,000.

To be completed at 12 month appraisal

Give an overview of whether the decision was implemented within the budget set out in the report or whether the desired amount of savings was realised. If not, give a brief overview of the reasons why and what the actual costs/savings were.

Any other comments