

SUBJECT: **Review of the Council's Planning Pre-application Advice Service including the proposal to increase the charges for this service**

MEETING: **Planning Committee**

DATE: **May 2016**

DIVISION/WARDS AFFECTED: All

1. PURPOSE:

- 1.1 To provide Planning Committee with a review of the current formal Planning Pre-Application Advice Service and details of the proposal to increase the fees that the Council charges customers.

2. RECOMMENDATIONS:

- 2.1 That Planning Committee notes the review of the Planning Pre-Application Advice service and endorses the proposed increase in charges for this service, for Cabinet Member to adopt.

3. BACKGROUND:

- 3.1 Pre-application advice is a discussion between a prospective applicant and the Local Planning Authority to help the customer understand the planning application process and be given guidance on the acceptability of the proposals with the view to improve the overall quality of the proposed development. Pre-application discussions are an optional service for customers but due to the benefits of the discussions in terms of the speed and likely success of their subsequent planning application, we encourage prospective applicants to discuss their development proposals with us at the earliest opportunity.
- 3.2 Monmouthshire has been offering a formal pre-application advice service since April 2014 and it has been widely well received by both customers and staff. The existing service that has been running successfully for the last two years was developed by engaging with our customers and asking them what matters to them.

- 3.3 On 16th March 2016 Welsh Government introduced subordinate legislation within The Town and Country Planning (Pre-Application Services) (Wales) Regulations 2016 that outlined that all Local Planning Authorities must provide a minimum statutory pre-application advice service with prescribed charges and service.
- 3.4 The Local Planning Authority can still offer a bespoke service to run alongside the statutory service. We believe that our customers will still wish to use the bespoke service due to the benefits over and above those of the statutory service which include the following:
- On site face- to-face meeting with the customer and their agent
 - Access to all relevant experts at all stages to determine what information is required within an application and their views on the proposal
 - Advice on how to improve the scheme to reach a positive outcome.
 - A detailed written response outlining policy considerations and advice and recommendations on the proposals.
 - Follow up meetings if required
- 3.5 As part of the service review we have also reviewed the charging schedule and service level standards. It is proposed to increase our fees as per the attached schedule. There would continue to be four levels of service provided, but these will be modified to align with the statutory service making it easy for customers to compare the service offerings.

4. KEY ISSUES:

4.1 Introduction

- 4.1.1 The pre-application advice service has been provided for over two years (during which time the fees charged have not changed) and it is valued by our customers, by the Planning Team and other experts engaged in the planning process. The service provides customer with the opportunity to engage with officers at an early stage in the development of their proposal and obtain highly useful information on whether or not their proposals would be acceptable and what would need to be submitted within any planning application.
- 4.1.2 The service is also valued by the Council officers involved in the planning application process as it enables them to provide guidance and advice at an early stage in the development process, which enables proposals to be shaped and modified to improve schemes, thereby helping to achieve the best form of development possible. In addition, the process enables officers to help customers to get the planning application submission into a good shape at the outset so that it is more likely to be valid on receipt, avoiding the need for multiple alterations and re-submission once the application has been received. That aspect can be frustrating for customers and also puts pressure on resources within the department.

4.2 Income and Service Level Performance

- 4.2.1 Since the introduction of the formal pre-application advice service on 1st April 2014 the Development Management team has provided a written response to 868 enquiries. This has generated £94,844 of income over the last two years; in 2014/2015 the service generated £50,908, while

during 2015/2016, the service brought in £43,936. The income target for the service was approximately £35,000 for each of these years and therefore the income generated has exceeded initial expectations. The income target is £35,800 for 2016/17, a figure we anticipate being realistic, in that fee expectations need to be treated with caution given that we do not know whether the statutory pre-application advice service will have a positive, neutral or negative impact on customer take-up of either the Council's or the statutory service.

With regard to officer performance, when conducting the service we reviewed a sample of 100 pre-application enquires and this led to the following conclusions:

- For registration to acknowledgement, the target was 1-3 working days; the data shows that we achieved on average 0 days for registration to acknowledgement; therefore this target is being met with enquires being acknowledged on the same day they are received.
- The target for the desk-top study was 10 working days from receipt; however on average this is being completed within 13 days.
- On average meetings were arranged within 12 days where the target was 15 working days from receipt of the enquiry; however not all enquiries require a meeting.
- Written responses were issued on average within 9 days where the target was within 5 working days of the meeting.
- The end-to-end target for pre-application enquires is 20 days for levels 1 – 3, and 22 for level 4. On average level 1 – 3 enquiries are completed within 21 days and level 4 within 46 days. Level 4 enquires are for large scale developments and it is often in the interest of the customer to gain a more detailed response resulting in the longer timescale, although this needs to be regularly reviewed to ensure we are meeting customer requirements.

4.2.2 Pre-application enquiries help the customer get the application correct first time and as a result of the formal introduction of the pre-application advice service in April 2014 the Development Management team has realised significant improvements in its performance in registering submitted applications.

The average time from the receipt of an application to its registration was:

- 44 days at the end of 2014
- 36 days 2015
- 30 days in January 2016

The introduction of the formal pre-application advice service is helping to significantly reduce the amount of time taken to register submitted applications. The service is enabling customers to get it right first time as they have already sought advice directly from a planning officer.

When customers do engage with pre-application enquiries it is having a positive impact on the department's performance, improving the time it takes to deal with the application because the officer has prior knowledge of the site when the application is submitted.

4.3 Customer Feedback

4.3.1 At the end of 2014/15 a sample of customer feedback comments outlined the following:

- Humanised Process – marvellous service
- Process working with customer not just made to jump through hoops
- Streamlines the process
- Really straightforward and easy to use
- Officer was really friendly and knowledgeable which made the process easy
- Friendly constructive advice
- For a lay-person it is a great service
- Timescales and cost a concern – could just submit an application and if refused re-submit and have response within 16 weeks
- It was good to deal with someone face to face and be given more information before making the actual application

Customer feedback is generally positive and the opportunity for customers to speak directly on site to a planning officer, or other Council officers in service areas that have a key role in the planning application process, is generally appreciated and expressed at site meetings, with both applicants and agents being positive about the process. A concern highlighted relates to the time it takes to conduct the pre-application enquiry as the speed of a response is often important to the customer. We have reviewed our target responses times which now reflects our performance and resources, to seek to manage expectations. This is an area that we will review going forward.

4.3.2 Analysis of applications determined that have been subject to the Council's pre-application advice service, November 2015 to January 2016 showed that on average 75% of applications were determined within the statutory 8 week deadline and all of the applications (100%) that had received pre-application advice were approved.

4.3 Other Service Area/Experts feedback

4.3.1 Feedback has been sought from the service areas who engage in the pre-application advice service and their comments have been generally positive. They recognise the benefits of a formal process including improved communication and consultation, clarity of procedures, costs being recovered and sharing of information between services leading to improved awareness. Within 2015, £5,118.50 (including VAT) was paid to other services in recharges for their involvement in the advice service.

Green Infrastructure Team:

“From a Green Infrastructure perspective, the pre-application stage is an opportunity to get developers to fully embrace the Green Infrastructure concept into their scheme. Formulating a plan of the GI assets and opportunities of the area at this stage results in better thought out schemes that maintain, protect and enhance GI and ultimately have social, economic and environmental benefits. Addressing concerns at the earliest possible stage reduces delays in the application process and avoids applications being made invalid until appropriate information is available. The only issue we sometimes encounter with the process is where we have not been consulted at pre-application stage, and issues arise that could have been more easily dealt with earlier.”

Affordable Housing Officer:

“It is extremely useful and helps get the design and layout right first time. It is also beneficial for understanding all of the Green Infrastructure issues.”

Highways Officer:

“We feel the pre-app service works overall as it’s a good opportunity to engage with the applicant early on to discuss and highlight all related issues so that they are clear what they need to consider and submit as part of a full planning application. It does speed up the process when the applicant has fully taken on board our comments at the pre-app stage and submitted all the relevant information with the full application. One criticism is that the process can be quite time-consuming therefore does impact on officer time and available resources, could some of the meetings be in offices rather than onsite?”

Planning Policy Officer:

“I think that it works well and we have been involved in a lot more developments at an early stage. In terms of the allocated sites it is extremely important that we are involved however we are not always included within the discussions. The system front loads the information and makes it easier when the application is submitted.”

- 4.3.2 One of the criticisms from other departments is that they are not always involved in the enquiry however it is worth noting that the service is customer led and they determine which officers they would like to attend the meeting, paying the correct fee accordingly. This is why some departments are not always included as this is the customer’s preference.

The existing bespoke pre-application advice service is generally considered to be successful. It is generating income to help cover the costs of the service, improving performance and receiving positive feedback from customers and other service areas. Although local planning authorities must now offer the *statutory* pre-application advice service, given the above factors we are committed to retaining our bespoke service and offer this alongside the statutory service. The differences between the two types of services are outlined below:

4.4 Statutory Pre-application Service

- 4.4.1 This is the basic level of service that local planning authorities *must* provide as legislated by Welsh Government. It will be a desk-top assessment based on a minimum level of information. The Authority will not enter into any discussions regarding the proposal and will not visit site. A written response will be provided that will include the relevant planning site history and planning policies to be considered, plus any other relevant planning guidance and material considerations, and an initial view on the merits of the proposal.

4.5 Monmouthshire Bespoke Pre-application Service

- 4.5.1 This is a bespoke service and has been designed by asking our customers what mattered to them. It will provide all the elements of the statutory service, along with a site visit and an opportunity to discuss options and ideas with the planning officer as well as suggestions to help improve the proposal. If relevant, a Building Control Officer will also attend site (free of charge) to advise on the relevant Building Regulation permissions required. The written response will include all details of the discussions, the relevant policies and site history, along with details of what is needed to be submitted with the planning application.

4.5.2 The main benefits of Monmouthshire's bespoke service for the customer is that they get direct contact with an officer to discuss the site specific details of their proposals and various options. They are provided with a dedicated case officer with a more personalised service, for instance the meeting can be either on site or in the office and the applicant is given a clear written response providing advice regarding the specific elements of the proposal, suggestions for improving the scheme, access to relevant experts (e.g. a Highways officer) along with a clear outline of the information that would need to be provided with an application. We want to retain this bespoke service and provide a better service to our customers than the more basic statutory service, as we are satisfied that this is of benefit to all parties involved.

4.6 Changes to Monmouthshire's bespoke planning pre-application advice service

4.6.1 Given the introduction of the statutory service our existing bespoke service charging schedule and levels of service need to be modified so that they align with the statutory service and ensure that it is easy for customers to compare the different services offered. Appendix 1 to this report indicates the existing charging schedule and Appendix 2 outlines the proposed new scheme of charges. The alterations relate to the levels of service, fees and the exemption to charges.

4.6.2 There would remain four levels of service, however the levels have now been categorised based on the type of development to reflect the statutory service. Level 1 would remain the same as the present rate at £60.00 with the option to add additional officers (£55.00 for each officer); Level 2 would be increased from the existing charge of £90.00 to £120.00 with the option to include additional officers (£70.00 each officer). Levels 3 and 4 fees would be changed to reflect the statutory service and categorised into major (Level 3) and large major developments (Level 4); Level 3 would cost £850.00 and Level 4 would cost £1250.00.

The current take up of the levels is

- Level 1 = 39%
- Level 2 = 49%
- Level 3 = 9%
- Level 4 = 3%

4.6.3 We proposed that Level 2 would be a lower fee than the statutory service. Level 2 enquiries are the most frequently requested. Customer feedback is that this level of service is required and the fact that the bespoke Level 2 service would be cheaper than the statutory service leads us to believe that this healthy take up will continue, even with the slight increase in fees. As we have demonstrated, pre-application advice is beneficial and we do not want to discourage its use due to cost. The proposed increase in the fee is projected to generate an additional £6000 per annum.

4.6.4 The review has also identified that pre-application advice for larger schemes is more time consuming and resource-heavy than initially anticipated. The move to levels based on the scale of the proposed scheme and the proposed increase in Level 4 will better reflect officer efforts in this area. As part of the proposals it is recommended that the time for written responses to be issued be increased to 10 working days from the date of the meeting (apart from Level 1 which will remain at 5 days). This will reflect the actual average time and better manage customers' expectations.

5. RECOMMENDATIONS:

- 5.1 The report outlines the performance of the pre-application advice service to date for Members' information. It also outlines proposals to modify and align Monmouthshire's bespoke service with the Welsh Government's statutory service, increasing some of the fees and service level standards, as outlined in the proposed charging schedule (Appendix 2) and applicant guidance notes (Appendix 3). It is requested that Committee Members endorse the proposed charging schedule so that it can be introduced from 1st June 2016.

6. SUSTAINABLE DEVELOPMENT AND EQUALITY IMPLICATIONS:

- 6.1 There are no significant equality impacts identified in this report. The Future Generations Evaluation is Appendix 4 to this report.

7. OTHER IMPLICATIONS:

- 7.1 Communication: It is important that the Council's Pre-application Advice Service procedure and charging schedule is publicly available and promoted to ensure customers are fully aware of the changes to the service.

Personnel: Officers will need to be briefed on the updated fees and Service Level changes.

8. CONSULTEES:

Highways; Green Infrastructure Team; Development Management Staff; Building Control; Planning Policy; Housing Officer

9. BACKGROUND PAPERS:

Appendix 1 - Existing charging schedule
Appendix 2 – Proposed charging schedule
Appendix 3 – Applicant Guidance Notes
Appendix 4 – Well-being of Future Generations Assessment

10. AUTHORS:

Craig O'Connor (Senior Development Management Officer) and Kim Lloyd (Business Manager)

11. CONTACT DETAILS:

Tel: 01633 644849

E-mail: craigoconnor@monmouthshire.gov.uk