



Consultation response form - Proposals for changes to planning application fees in England

We are seeking your views on the following questions on the Government's proposal for changes to planning application fees in England.¹ **If possible, we would be grateful if you could please respond by email.** Alternatively, we would be happy to receive responses by post.

Email responses to: julian.wheeler@communities.gsi.gov.uk

Written responses to:

Julian Wheeler
Communities and Local Government
Zone 1/J1
Eland House
Bressenden Place
London
SW1E 5DU

(a) About you

(i) Your details

Name:	Meriel Martin
Position:	Policy Assistant
Name of organisation (if applicable):	English National Park Authorities Association
Address:	First Floor, 2-4 Great Eastern Street, London EC2A 3NW
Email Address:	meriel.martin@enpaa.org.uk
Telephone number:	020 7655 4812

¹ CLG (2010) Proposals for changes to planning application fees in England: Consultation document

(see:

www.communities.gov.uk/planningandbuilding/planning/planningpolicyimplementation/planningfeesconsultation)

(ii) Are the views expressed on this consultation an official response from the organisation you represent or your own personal views?

Organisational response x
Personal views

(iii) Please tick the *one* box which best describes you or your organisation:

Private developer or house builder
Housing association or RSL
Land owner
Voluntary sector or charitable organisation
Business
Parish council
Local government (i.e. district, borough, county, unitary, etc.)
Regional government
National Park x
Other public body (please state)
Other (please state)

(iv) What is your main area of expertise (please tick as many boxes that apply)?

Planning x
Legal
Housing
Economic or commercial development
Environment x
Transport
Other (please state)

(v) Do your views or experiences mainly relate to a particular geographical location?

South West
South East
East of England
East Midlands
West Midlands
North West
Yorkshire and The Humber

- | | |
|------------------------|--------------------------|
| North East | <input type="checkbox"/> |
| London | <input type="checkbox"/> |
| All of England | x |
| Other (please comment) | <input type="checkbox"/> |

(vi) Would you be happy for us to contact you again in relation to this consultation?

- | | |
|-----|--------------------------|
| Yes | x |
| No | <input type="checkbox"/> |

(b) Consultation questions

Question 1:

1. **Do you agree that each local planning authority should be able to set its own (non-profit-making) planning application fee charges?**

- | | |
|-----------------------------------|--------------------------|
| Strongly Agree | x |
| Agree | <input type="checkbox"/> |
| Neither agree nor Disagree | <input type="checkbox"/> |
| Disagree | <input type="checkbox"/> |
| Strongly Disagree | <input type="checkbox"/> |

Explanation/Comment:

Although the long established national system provides certainty it does not reflect local circumstances. Whilst the charges reflect the scale of development proposed they have no regard to the complexity of the proposal and the specialist skills needed to assist in the determination process. This is particularly pertinent in areas with diverse ranges of landscape, ecological, archaeological or built heritage designations. For example, within the National Park many proposals require detailed nature conservation and/or archaeological advice. A small footprint development would presently require a small fee disproportionate to the work involved. A locally distinctive fee would address this anomaly.

Whilst we support locally distinctive fees National Park Authorities would have significant concerns if charges were expected to recover 100% full costs. This runs counter to the principle that the planning service is there to safeguard wider public/ national interests and not just that of the applicant's. This is particularly pertinent within National Parks where, for example, we work with applicants to achieve high standards of development, rather than simply determining as submitted. If we are expected to recover 100% fees then the increase in charges would be very significant, unpopular and counterproductive.

Question 2:

2. **Do you agree that local planning authorities should be allowed to decide whether to charge for applications that are resubmitted following withdrawal or refusal?**

Strongly Agree x
Agree
Neither agree nor Disagree
Disagree
Strongly Disagree

Explanation/Comment:

Re-submitted significant schemes, particularly those with significant public interest, can involve a lot of work. A discount against the full fee would be most appropriate, either say 50% or a scale.

Question 3:

3. **Do you agree that local planning authorities should be able to set higher fees for retrospective planning applications?**

Strongly Agree x
Agree
Neither agree nor Disagree
Disagree
Strongly Disagree

Explanation/Comment:

Retrospective applications are a useful means of regularising unauthorised development. To be consistent with the enforcement appeal fee regime a double fee is suggested rather than punitive. This would reflect the additional time and work involved in monitoring/enforcement/ negotiation that has occurred and is not to be viewed as a punitive measure.

Question 4:

4. **Are there any development management services which are not currently charged for but should require a fee?**

Yes

No

Explanation/Comment:

There should be no non fee paying applications and a fee should be introduced in respect of all application types (listed building etc), being modest but reflecting that there is a public cost involved in the provision of the service and that the applicant is making a contribution to that cost.

Whilst advice indicates that disability is not necessarily a barrier to being able to afford planning fees, disability can bring a need to apply for works that require planning permission and which are often necessary rather than desirable or property enhancing. A lesser charge should be applied to such applications.

Likewise applications for DDA compliance should for the same reasons attract lesser charges.

Applications arising as a result of the serving of Article 4 Direction designations should also be free or reduced to avoid the Direction being seen as an additional financial burden on those affected.

Question 5:

- 5. Are there any development management services which currently require a fee but should be exempt from charging?**

Yes
No

Explanation/Comment:

Question 6:

- 6. What are the likely effects of any of the changes on you, or the group or business or local authority you represent?**

Comments:

Increased ability to recover costs associated with service provision.

Question 7:

- 7. Do you think there will be unintended consequences to these**

proposals?

Yes

No

Comments:

Increased fees may increase the demand for better quality pre-application advice to allow developers to assess the scope for gaining a planning permission. This could increase the demand to charge for pre-application advice. In this context some national guidelines for charging for pre-application advice would be useful particularly to achieve consistent fee regimes.

Question 8:

- 8. Do you have any comment on the outcomes predicted in the Impact Assessment, in particular the costs and benefits (See Annex B)?**

Yes

No

Comments: