

Subject: Pre-Application Advice

Status: For Publication

Report to: Performance Overview and
Scrutiny

Date: 4th March 2009

Report of: Linda Fisher, Executive Director – Business (Monitoring Officer)

Portfolio

Holder: Portfolio Holder for Regeneration

1. PURPOSE OF REPORT

- 1.1 The Director of Business has been requested to provide information on pre-application advice numbers within the Planning Unit this year. The Overview and Scrutiny Committee has questioned value for money in this area. In particular while we have improved Customer Services by introducing such procedures. What cost is this to the Council and what do other Councils do.

This report seeks to provide information on the pre-application process attached to this report but also attaches information about what other Councils do.

2. CORPORATE PRIORITIES

- 2.1 The matters discussed in this report impact directly on the following corporate priorities and associated corporate objective.

- Delivering Quality Services to Customers (Customers, Improvement)
- Delivering Regeneration across the Borough (Economy, Housing)
- Keeping Our Borough Clean and Green (Environment)
- Promoting Rossendale as a cracking place to live and visit (Economy)
- Improving health and well being across the Borough (Health, Housing)
- Well Managed Council (Improvement, Community Network)

3. RISK ASSESSMENT IMPLICATIONS

- 3.1 There are no specific risk issues for members to consider arising from this report as no decision on introducing pre-application advice is being made.

4. BACKGROUND AND OPTIONS

4.1 Proposal for charging for pre application discussions

The Local Government Act 2003 gives local planning authorities a discretionary power to charge for giving pre-application advice (as a service that an authority has the power, but it is not obliged, to provide). The income raised must not exceed the cost of providing the service.

A small but growing number of local authorities now charge for pre-application advice (mainly in the south and London.). No local planning authorities in the north-west charge for pre application advice. The table overleaf summaries a selection of local authorities that do charge, for which development and at what rates.

The Planning Advisory Service produced a paper in April 2007 titled-A Material World-charging for pre application planning advice. The research included interviews with local authorities who were charging and those that had considered the idea but then dismissed it. The main findings to emerge were:

- Charging improves the delivery of what is an essential but time consuming service and to help ensure better quality application submissions
- Charging helps filter out speculative and poorly thought out development proposals;
- Charging could however discourage development or risk harming a good working relationship with local agents;
- No authority interviewed charged for householder development and most exempt development affecting small business premises;
- Charging accepted in principle on the basis that developers will receive in return assured and timely access to the service/staff and carefully considered and constructive written advice at the end of the process;
- Charges need to be easily understood and administered.

4.2 Experience at Rossendale Borough Council

The giving of pre application advice at Rossendale has been embedded for 2 years. A multi disciplinary approach has operated for some 2 years. This is a unique approach to the design and building process which operates by bringing together representatives from appropriate council services to offer co-ordinated advice on a proposed development at pre-planning application stage.

The development team assists with any technical and legislative issues that may need to be addressed at the earliest possible stage. This will help to avoid any 'surprises' appearing later in the development process that may have a significant effect on the cost and feasibility of a proposal. It operates on developments involving 10 or more dwellings, or retail, commercial or industrial development of 1,000 sq. metres in floor area or covering more than 1 hectare.

The number of pre-application enquiries received and dealt with by the Planning Unit during the 2008 calendar year will be available at Committee.

The introduction of charging would result in a more structured approach to pre application discussions and reduce the number of speculative and poorly submitted schemes. This in itself will introduce efficiencies in terms of making best use (utilisation) of officer time and reduce the administrative burden of managing the pre application system. However it could also mean that applicants do not undertake any pre application discussions and submitted schemes are either poor and involve more discussions/negotiations to resolve. The current process normally involves the resources of a number of staff (planning, building control, highways etc)

COMMENTS FROM STATUTORY OFFICERS:

5. SECTION 151 OFFICER

5.1 When considering the merits of Pre – Application Charges Council will have to take note of, amongst other things:

- the potential quantum of such additional income to be raised,
- customer value added services,
- the larger main application fee,
- current economic climate,
- capacity within the planning team,
- cost to taxpayer of the planning service.

6. MONITORING OFFICER

6.1 Nothing to add to report.

7. HEAD OF PEOPLE AND POLICY (ON BEHALF OF THE HEAD OF PAID SERVICE)

7.1 No Human Resources implications.

8. CONCLUSION

8.1 Authorities are charging for pre-application advice in some areas. This report outlines Rossendale's current approach to pre-application advice.

9. RECOMMENDATION

9.1 Further work is required on the amount of Officer time such pre-application currently take up. There is no current data on number of hours spent by Rossendale and Lancashire County Council Highway's Officers on such matters and it is felt such information be brought back to this Committee.

9.2 That this matter is added to the work programme for Overview and Scrutiny Committee next year as an assessment of value for money.

9.3 That the Director of Business requests information on pre-application charging in other Lancashire Councils and reports back to Committee.

10. CONSULTATION CARRIED OUT

10.1 None, we would consult with our Developer Forum as part of any report back to Committee.

11. COMMUNITY IMPACT ASSESSMENT

Is a Community Impact Assessment required Yes / No

Is a Community Impact Assessment attached Yes / No

12. BIODIVERSITY IMPACT ASSESSMENT

Is a Biodiversity Impact Assessment required Yes / No

Is a Biodiversity Impact Assessment attached Yes / No

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No background papers.