

## **SOUTH HOLLAND DISTRICT COUNCIL**

**Report of:** Executive Director – Place (Rob Walker)

**To:** [Executive Member / Portfolio Holder for Place]  
(Councillor Roger Gambba-Jones)

**(Author:** Richard Fidler, Development Manager

**Subject:** Changes to Planning Application Fees

**Purpose:** To agree the increase in and additional Planning Application Fees applicable from 17 January 2018 as set out in The Town and Country (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) (Amendment) Regulations 2017

### **Recommendation(s):**

- 1) That the increase in and additional Planning Application Fees applicable from 17 January 2018 as set out in The Town and Country (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) (Amendment) Regulations 2017 be agreed
- 2) That the additional planning application fee income be re-invested in the Planning Service.

### **1.0 BACKGROUND**

- 1.1 The Town and Country (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) (Amendment) Regulations 2017 were made on 20 December 2017 and come into force 28 days later on 17 January 2018.
- 1.2 All existing fees set out in the 2012 Fees Regulations will be increased by approximately 20%.
- 1.3 The increase was offered by Government to all local planning authorities in Command Paper 9352 (paragraph 2.15) if they agreed that the additional money would be re-invested within their planning department. All local planning authorities accepted the offer.
- 1.4 In addition Regulation 3 of the 2017 Fees Regulations makes consequential changes to the 2012 Fees Regulations so that a fee will be payable for permission in principle. Permission in principle is a new route to planning permission (Sections 58A and 59A of the Town and Country Planning Act 1990) which was inserted by Section 150 of the Housing and Planning Act 2016.
- 1.5 Further Regulation 5(2) omits Regulation 5 of the 2012 Fees Regulations. This means that a planning application fee may be charged by Local Planning Authorities where permitted development rights have been withdrawn under an article 4 direction, or where permitted development rights have been withdrawn by a condition imposed on a planning permission.

### **2.0 OPTIONS**

- 2.1 Option 1. Do nothing (not recommended)
- 2.2 The option is not available as the increase in Planning Fees has been brought in by Government as secondary legislation and applies to all Local Planning Authorities.
- 2.3 Option 2. Agree the increase in Planning Fees but do not re-invest the additional income in the Planning Service (not recommended)
- 2.4 The additional fee income is required in order that there is an adept, agile and fully resourced Planning Service.
- 2.5 Option 3. Agree the increase in Planning Fees and to re-invest the additional income in the Planning Service (recommended)
- 2.6 A report outlining how the monies will be invested in the Planning Service will come forward to Council later in the year.
- 3.0 **REASONS FOR RECOMMENDATION(S)**
- 3.1 The reasons for the recommendations have been set out above.
- 4.0 **EXPECTED BENEFITS**
- 4.1 Maintained and enhance levels of performance; greater service resilience, capacity and capability; increased customer satisfaction; reduced risks of reputational damage; significantly decreased financial risks; greater potential for the Council to meet with its wider growth ambitions to the overall benefit of the District and its residents
- 5.0 **IMPLICATIONS**
- 5.1 **Carbon Footprint / Environmental Issues**
- 5.1.1 None beyond those covered in the body of this report.
- 5.2 **Constitution & Legal**
- 5.2.1 The Constitution sets out that a Cabinet Member has the power to amend the scale of fees and charges for any of the functions falling within his/her Portfolio. All Decisions by a Cabinet Member must only be taken following consideration of a written report from a Chief Officer and be evidenced by a Portfolio Holder Decision signed by both the Cabinet Member and the relevant officer
- 5.3 **Contracts**
- 5.3.1 None at this stage.
- 5.4 **Corporate Priorities**
- 5.4.1 This report recommends a course of action that meshes with the Councils key priorities of providing the right services, at the right time and in the right way; to encourage the local economy to be vibrant with continued growth; and in having pride in South Holland by supporting the district and residents to develop and thrive.

5.5 **Crime and Disorder**

5.5.1 No direct implications

5.6.1 **Equality and Diversity / Human Rights**

5.6.1 No direct implications

5.7 **Financial**

5.7.1 Planning applications fees will be increased by approximately 20% from 17 January 2018. Any direct financial implications regarding proposed future investments and improvements within the Planning Service would be the subject of a separate report to Council

5.8 **Health & Wellbeing**

5.8.1 No direct implications.

5.9 **Reputation**

5.9.1 No implications beyond those highlighted above in the body of this report.

5.10 **Risk Management**

5.10.1 No risks beyond those set out in the body of this report.

5.11 **Safeguarding**

5.11.1 No direct implications

5.12 **Staffing**

5.12.1 Any direct staffing implications regarding proposed future investments and improvements within the Planning Service would be the subject of a separate report to Council

5.13 **Stakeholders / Consultation / Timescales**

5.13.1 Planning fees increase comes into force on 17 January 2018.

6.0 **WARDS/COMMUNITIES AFFECTED**

6.1 All.

7.0 **ACRONYMS**

7.1 None.

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Background papers:- [See The Committee Report Guide](#)

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**Lead Contact Officer**

Name and Post: Richard Fidler, Development Manager  
Telephone Number: 01775 764428  
Email: rfidler@sholland.gov.uk

**Key Decision:** Yes

**Exempt Decision:** No

**This report refers to a Mandatory Service**

**Appendices attached to this report:**

Appendix A

The Town and Country (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) (Amendment) Regulations 2017