

26 NOVEMBER 2024

KEY DECISION? NO

REPORT NO. PG2431

REVIEW OF CHARGES FOR PRE-APPLICATION ADVICE

SUMMARY AND RECOMMENDATIONS:

Since the last review of pre-application fees in 2021, the complexity of the planning process has increased, increasing the time demands for officers but also requiring the assistance of other specialisms within the Council. This report sets out the findings and recommendations of the review of such charges.

Recommendation(s) requiring decision.

- (a) Continue the practice of charging for pre-application discussions.
- (b) With effect from 1st December 2024, set charges as set out Section 7 of this report;
- (c) Confirm that the minimum householder/minor development charge will continue to apply to requests for pre-application advice, irrespective of the proposal type, made by community/charity groups which demonstrate that they meet all the following criteria:
 - A registered charity
 - With headquarters in Rushmoor Borough
 - Involved in activity which serves the people of Rushmoor
 - Not part of a national charity with multiple UK or international offices

Pre-application charges

1. INTRODUCTION

- 1.1. Charges to potential planning applicants and developers for discussion and advice before the submission of planning applications were introduced in Rushmoor with effect from 1st February 2017. After one year the practice was reviewed and charges amended to include an approximate increase of 20%, reflecting the parallel government decision to increase planning fees by the same percentage. On the 1st April 2021 fees were then reviewed and increased.
- 1.2. The charges were introduced in pursuance of the corporate objective to establish a sound financial position, make sustainable budgetary savings,

investigate new sources of income and implement channel shift, whilst maintaining a high level of service.

- 1.3. Pre-application charging cannot be used to make a profit and must only cover its own costs¹. In appropriate circumstances, authorities are permitted to charge as a means of meeting, and effectively regulating demand for pre-application advice. The key role of Local Planning Authorities in encouraging other parties to take maximum advantage of the pre-application stage is cited in the National Planning Policy Framework and forms an essential part of our planning process at Rushmoor.
- 1.4. For clarity, the introduction of charging was not accompanied by a moratorium on providing informal advice to telephone callers. However, it should be noted that given the complexity of the Planning System, only relatively basic advice is given in this way. It is therefore commonplace for initial contact to be in the form of a telephone call, and for the resulting discussion to lead to a decision by the potential applicant as to whether to make a pre-application submission requiring payment of a fee.

2. BACKGROUND

- 2.1. The Cabinet decision to increase the pre-application charges (19th January 2021) resulted in the following being introduced:
 - £70 for small householder developments, domestic outbuildings and advertisements;
 - £120 for two storey/complex and large householder extensions;
 - £240 for changes of use (land and floor space);
 - £405 for single house schemes and simple minor developments;
 - £860 for small major schemes and medium sized housing developments; and £1340 plus £195 per additional meeting for major developments.
- 2.2. These charges are also Index Linked, increasing each April².
- 2.3. In 2017/2018 it was estimated at the time of the initial introduction that pre-application charges could generate up to £30,000 - £40,000 gross per annum.
- 2.4. The below table demonstrates the actual income from pre-application in the proceeding years;

Financial Year	2017-2018	2018-2019	2019-2020	2020-2021	2021-2022	2022-2023	2023-2024
Actual	£31,136	£32,363	£23,584	£29,907	£39,740	£33,636	£36,429
Budget	£25,000 ³	£36,000	£29,000	£30,000	£36,000	£36,000	£36,000
variance	+6,136	-3,637	-5,416	-93	+3,740	-2,364	+429

¹ [Local Government Act 2003 \(legislation.gov.uk\)](https://www.legislation.gov.uk)

² By the Consumer Price Index

- 2.5. The introduction of the charges on 1st February 2017 fell part-way through the final quarter of the financial year. The original budget estimate for receipts from pre-application planning charges for the 2017-18 financial year 2017-18 was set at £30,000. In the event, pre-application discussions with developers initially declined, resulting in a revised estimate of £25,000 for that and future years. However, income picked up later in the year and the outturn for 2017-18 was £31,136.
- 2.6. The annual performance reports to the Development Management Committee show the outturn figures for 2018-19 were £32,363 against a budget estimate of £36,000 and for 2019-20, when the estimate was again revised to reflect the period of political and economic uncertainty, income was £23,584 against a budget estimate of £29,000.
- 2.7. In the 2020-2021 financial year, exceptional circumstances are again expected to be a significant factor. The initial pre-application budget estimate was £36,000, and this was revised down to £30,000 and the income was £29,907.
- 2.8. The budget of £36,000 was reinstated in 2021-2022 and has remained since. Whilst there was a negative fluctuation in pre-application income in 2022-2023, this was not significant. Pre-application fees in Q1 of 2024 performed to budget.

Customer service and Service delivery

- 2.9. Pre-application services are discretionary, but have significant value in the planning process. Pre-application engagement by prospective applicants offers significant potential to improve both the efficiency and effectiveness of the planning application system and improve the quality of planning applications and their likelihood of success. The pre-application service can achieve this as a result of;
 - a. providing an understanding of the relevant planning policies and other material considerations associated with a proposed development
 - b. working collaboratively and openly with interested parties at an early stage to identify, understand and seek to resolve issues associated with a proposed development, including, where relevant, the need to deliver improvements in infrastructure and affordable housing
 - c. discussing the possible mitigation of the impact of a proposed development, including any planning conditions
 - d. identifying the information required to accompany a formal planning application, thus reducing the likelihood of delays at the validation stage.
 - e. putting in place a Planning Performance Agreement where this would help with managing the process and agreeing any dedicated resources for progressing the application.
- 2.10. Whilst not quantifiable, feedback from the Council's pre-application service has on the whole been welcomed by applicants. The process has been effective in adding value and efficiency to the planning process, and benefits both applicants

and the authority without discouraging engagement. This is particularly given its pivotal role in the allocation of SPA mitigation in accordance with the Council's Thames Basin Heaths Special Protection Area (AMS⁴), and the resolution of the complexities associated with Biodiversity Net Gain (BNG).

3. DETAILS OF THE PROPOSAL

- 3.1. The review investigated two main attributes 1) the actual time taken by officers when determining pre-application discussions, along with understanding what other council specialism were consulted, and 2) bench marking against the surrounding authorities⁵.

Actual time taken by officers.

- 3.2. The legal basis on which charging is permitted remains one of cost recovery. Any analysis of, and decision to amend pre-application charges should therefore be based on the actual costs incurred.
- 3.3. In order to examine the cost recovery implications of the service provided, information was collected by officers with regards to;
- application type
 - what other officers were involved in the pre-application service, and
 - how many hours they took from receipt of pre-application to the issue of the report.
- 3.4. Focus groups were then set up to discuss these timescales. Those other officers identified to be involved were asked the same. This information has been brought together in the table below.
- 3.5. The cost of the delivery of pre-application services also relies on general overheads, and these should also be considered. The figures from the Finance team include overhead cost of office accommodation, IT costs, general support from other services, insurance, and an estimated 24/25 pay award⁶. It should be noted that these costs exist regardless of whether the authority provides a pre-application service or not.
- 3.6. Previous reviews of pre-app fees only considered Planning Officer time. However, it is apparent that officers are consulting a range of experts within the council, including our Ecologists, Tree Officer, Policy Officers, and Environmental Health Officers – and this has resource implications. This is in part due to the increasing complexity of the planning process, such as the introduction of BNG, but also the development of greater cross-departmental

⁴ [Rushmoor Avoidance and Mitigation Strategy 2024](#)

⁵ Previous reviews have only benchmarked against Hampshire Authorities, however as the borough borders Hart, Guildford and Waverly, and agents do not work within County Boundaries but general areas, it was considered appropriate to undertake the review in this way.

⁶ When agreed and implemented, this is paid retrospectively dating back to the start of that financial year, and so is counted as a cost of service delivery from the start of the new fees.

collaboration. Pre-application discussions with other statutory consultees is considered to be vital, ensuring that any concerns within these specialized areas are brought up now and resolved prior to the determination of any such planning application – the fundamental purpose of such service. Ultimately, the benefit of this is that applicants are offered a pre-application response that is more thorough, offering a greater level of certainty in decision outcome, and a quicker decision.

3.7. The below table sets out the general amount of time taken on each pre-application type by officer type. As the lead officer, the Planner spends the greatest time on the pre-application – undertaking a site visit, reviewing and digesting information, writing reports and preparing for and conducting meetings. Time is also required by supporting staff, including administration and line and management. It is also clear that the more complex the site, the more time demands are placed on a variety of officers.

Application type	Time taken by officer type per hour/minutes								
	Planner	Admin	Line Manager	Service Manager/ Head of Service	trees	policy	Ecology	Env. health	Housing
Householder basic	0.5	10	0						
Householder simple	1.30hr	15m	10m		15m		15m		
Householder complex	2-4 hrs	15m	10m		15m		30m	10m	
Minor residential (1-2)	5-24hrs	15m	15m		30m	30mins	2hr	20m	
Small Major residential (3-9)	1-2 weeks (30 – 60 hrs)	20m	1hr	15min	30m	30m	2hr	30m	30min
Medium Major residential (10-24)	1-3 weeks (30 - – 90)hrs	30m	30min	30hrs	1hr	30min	3hr	60m	1hr
Larger medium majors (25-49)	2-4 weeks (60 – 120 hrs)	30	1hr	1hr	1hr	1hr	3hr	60m	1hr
Large Major Residential (50+)	40hrs +	1hr+	3hrs+	3hr+	1hr+	3hr+	3hr+	2hrs+	1hr+
Minor commercial	4 – 30hrs	20m	30m	30mins	30m	30min	2hr	1hr	
Small Major commercial	24hrs-45hrs	30m	1hr	1hrs	30m	2hr	3hr	2hr	
Major commercial	37hrs+	60m+	120m+	3hrs+	60m+	3hr+	3hr+	1hr+	

3.8 It should be noted that external consultees including Hampshire highways, Natural England, Environment Agency etc. have their own Pre-application services that the applicant is required to apply for separately and is not costed in the pre-application fees.

4 COST CONSIDERATIONS

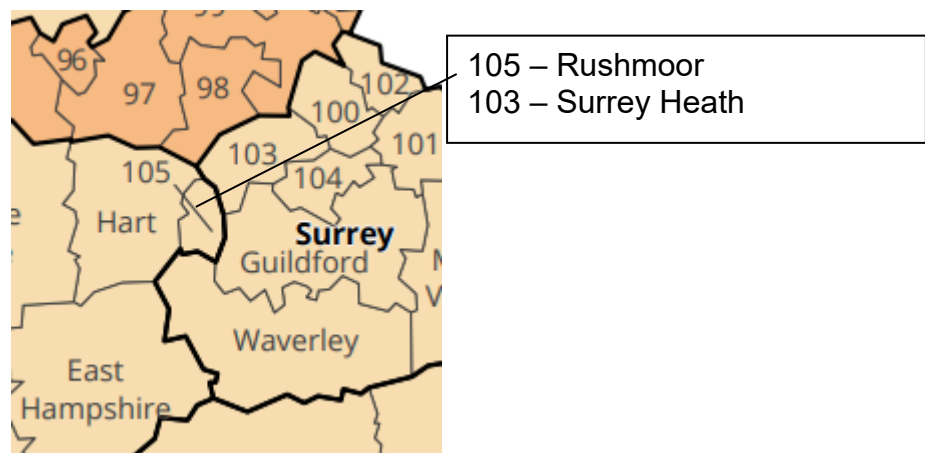
4.1 It should be noted that income receipts from pre-app are subject to VAT at 20% meaning the actual receipt from a householder charge of £40.00 is £33.00, a minor development charge of £270.00 is £225.00 and a Major development charge of £720.00 is £600.00.

4.2 The cost for pre-application services also needs to consider the costs of a planning application. If the cost is too high, it is tempting for applicants to 'just submit' the application, potentially resulting in additional demands on officers and resources to resolve concerns at this stage, and even at appeal.

4.3 Pre-app fees have increased in line with RPI. However, as the pre-app fees have been developed using cost based on officer time, it is proposed that they are reviewed on a yearly basis in line with increases in the Council's costs.

Fee benchmarking

4.4 Fee benchmarking across neighbouring authorities provides a reflective comparison both in terms of cost and services provided. Whilst previous pre-app fee reviews focused on Hampshire Authorities, many of the agents using such service also use those of the surrounding authorities – which are Guildford, Waverley, Hart and Surrey Heath. It is considered that this is a better benchmark than Hampshire, to which the authority is at the tip of.



4.5 Many LPAs now offer a 'tiered' service with varying levels of service from a 'basic' (e.g. no meetings) to a 'Gold' (e.g. with meetings and site visit). Rushmoor currently only offers one type of standard, which would be equivalent to 'Gold'. Some consideration was had to whether the team should offer a 'Silver' or 'Bronze' level too.

- 4.6 The customer benefit of such range of service provision is that they can pay a lower fee but accepting a lesser service. The benefit for the Council is that less staff time is required to deliver on such service. However, there are a number of reasons why this is not considered to result in a beneficial outcome in terms of service delivery or cost saving for Rushmoor.
- 4.7 The provision of a range of pre-application 'levels of service' versus a single 'gold' standard would not have a material impact upon the staff cost. The level of demand would not alter to the extent that any additional staff or reduction would be required to ensure service delivery. The additional concern is that whilst delivering a less detailed pre-application service (e.g. no site visit or internal consultees) would be cheaper in terms of resource cost, this is likely to result in additional resource cost at planning application stage. This is because a more detailed pre-application (e.g Gold Standard) is more likely to spot issues (via site visit and consultees) which can be addressed at the pre-application stage. With a cheaper but 'lesser' service, these issues may not be captured and instead come to light during the planning application, and result in additional officer resource trying to address them.
- 4.8 The pre-application fees are to be reviewed on an annual basis.
- 4.9 Therefore, there are no proposed changes to the level of service that Officers provide in the delivery of the pre-application service. Rushmoor prides itself on offering a 'gold standard' preapplication service as standard.
- 4.10 For clarity, the fee for pre-application discussions at Rushmoor includes;
- Planning Officer (of the appropriate experience) consideration of the submission, a history search, a site visit, and review of a set of revised documents.
 - Internal consultation (Ecology, Environmental Health as required)⁷
 - a meeting with relevant officers⁸,
 - and a written response.
- 4.11 For clarity, if a significant revision of the case is required, or more than one revision has been provided, then a new pre-application fee may be required. This is at the discretion of the officer dealing with the pre-application submission.
- 4.12 Details of the fees of adjoining authorities are provided in appendix A.

Use of Planning Performance Agreements (PPAs)

- 4.13 A planning performance agreement is a project management tool which the local planning authorities and applicants can use to agree fees, timescales, actions and resources (including fees) for handling particular applications. A

⁷ Hampshire County Council's Highways team have their own consultation process

⁸ Whether an officer allows additional meetings is to their discretion.

planning performance agreement is agreed voluntarily between the applicant and the local planning authority prior to the application being submitted, and can be a useful focus of pre-application discussions about the issues that will need to be addressed.

- 4.14 The use of PPAs for some types of pre-application types enables officers to tailor timescales and cost based on expected resource demands. This is particularly useful where the application type can result in a wide range of resource demands, or where a set fee cannot be easily established.
- 4.15 The resource cost of such PPAs will be based on expected officer time (as per the above) along with any relevant consultant fees should they be required.

5 Proposed fees

Householder Pre-App

5.1 The current fee for householder applications is significantly below that of the actual cost of offering the service, and significantly below the cost of the planning application to be submitted. Indeed, National Government are currently consulting on the proposal to increase householder planning applications fees, recognising that they do not cover the authorities' costs⁹. However, a consideration of any unintended consequences of any fee increase needs to be considered. Officers report that many householders will not seek advice if the fee is too high, resulting in potentially increased number of householder related planning enforcement cases. As there is no fee recovery for enforcement investigations, this is a consideration. Officers often advise householders to apply for pre-application advice to help shape proposals/ advise on whether express permission is required. Also, if the fee is close to that of the planning application fee, then there is a concern that we will receive subpar planning applications that officers will need to spend time to resolve, rather than addressing them earlier at the pre-application stage. This is particularly noting the 'complex' cases, where the actual cost is closer to that of a planning application. A balance is to be struck, and results in the suggested fees. This results in RBC providing a service that is within the range of fees supported by the surrounding authorities and recovers the staff cost. This can be revisited should the planning application fee increase as part of the standard annual review.

Development Category		Current	RBC staff	Surrounding authority cost range	Planning fee ¹⁰	Proposed fee
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⁹ [Proposed reforms to the National Planning Policy Framework and other changes to the planning system - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/consultations/proposed-reforms-to-the-national-planning-policy-framework-and-other-changes-to-the-planning-system)

¹⁰ A consultation is live to increase this to £528

			plus 'oncost'			
Householder	Basic enquiries with formal response ¹¹	£0	£55	£0 - £150	£258	£55
	Small ¹²	£80	£165	£150-251	£258	£165
	Complex ¹³	£135	£191 – 313	£150-310	£258	£200

Residential pre-app

- 5.2 The demands placed on officers assessing residential pre-application submissions is akin to that of a Planning Application. All new net residential development in the borough requires SPA (Thames Basin Heaths Special Protection Area) mitigation, and in accordance with the AMS (Avoidance and Mitigation Strategy¹⁴) only policy complaint schemes can secure this. In addition, it is only at pre-application stage that such allocation can be secured. This includes for C4 and Sui-generis Houses in Multiple Occupation, and care home development.
- 5.3 This level of resource input was reflected in the officer responses. Officers are spending a similar time reviewing pre-application submissions as they would with a planning application. The fundamental difference in terms of time resource is that with the pre-application, there is no public consultation or consultation with those consultees outside the borough (e.g. Environment Agency, Natural England) – which indeed can take significant officer resource. Due to the need to be clear on development plan compliance, and the time it takes to allocate SPA mitigation, all pre-application schemes take a considerable amount of officer time.
- 5.4 Generally, officers spent less time on single dwelling schemes than larger schemes, as the sites tended to be less complex, with the larger sites usually resulting in additional complexities. For instance, the need for affordable housing viability testing. However, there was an observed considerable overlap of officer time taken between the smaller and larger housing schemes, and the reason for this is that often many of the same issues can arise with residential schemes regardless of their size. For instance, BNG (Biodiversity Net Gain), Highways Concerns, and design and layout. For clarity, such fees include proposals for new build and changes of use.
- 5.5 The greatest range of officer time was observed with the larger major schemes, with some smaller schemes taking longer than larger schemes to complete. Whilst schemes with more than 50 residential units are relatively uncommon, and given their general complexity it is considered that these should be addressed via a bespoke PPA.

¹¹ Simple enquiries, requiring little offer time e.g. Constraints, PD rights, simple outbuildings and fences. No internal consultee or line manager support.

¹² Single storey extensions, roof extensions, garden buildings,.

¹³ Householder two storey and large scale extensions and/ or multiple extensions.

¹⁴ [Rushmoor Avoidance and Mitigation Strategy 2024](#)

5.6 This results in RBC providing a service that is within the range of fees supported by the surrounding authorities, recovers the staff cost, and some of the overhead costs used in providing such service.

Development Category		Current	RBC staff plus 'oncost'	Surrounding authority cost range	Planning fee	Proposed fee
Minor residential	1 -2 dwelling	£450	£540-£893	£155 – £1035	£578 per dwelling	£600
Minor residential	3-9	£450	£1,134 - £1982	£289 - £1500	£1,734 for 3 dwellings+ £578 each additional dwelling	£1,200
Major Residential	10-24	£960	£2,617 - £8,185	£1445 - £3612	£6,310 (10 units)+£578 per dwelling	£2,700
Larger major residential	25-49	£1500	£3,440 - £8,975	£4,073 – £5000 (+ Bespoke)	£16,224 + £624 per dwelling (over 26)	£4,000
Larger major residential	50+	£1500	£8,676 - £23,104	£5000 - £10,000	£30,860 (+ 186 for each additional dwelling, max fee £405,000)	Bespoke PPA
HMO	C3-C4 & Sui-generis	£450	£468 - £1,500	Not specified	£578	£550

Commercial pre-app

5.7 Commercial Pre-apps include these applications where additional floor space is proposed or a new building, for example offices, and warehouses. The current pre-application charging schedule splits major commercial fees into two with a split at 2000sqm between the lower and higher fee. The surveys found that officer time was not clearly split at this point, and this was reflected in the fees of surrounding authorities, resulting in similar fee categories. A split is proposed to stagger the fee to provide more cost points based on scheme size. The biggest jump in officer resource is with the larger pre-applications (5001sqm +), which the authority rarely receives. Given the likely complexity of issues, and the bespoke nature of such, it is considered a bespoke fee via a PPA is arranged.

5.8 This results in RBC providing a service that is within the range of fees supported by the surrounding authorities and recovers the staff cost, and some of the overhead cost of providing such service.

Development Category		Current	RBC staff plus 'on costs'	Surrounding authority cost range	Planning portal fee ¹⁵	Proposed fee
Minor commercial (new build or extensions)	1 – 999sqm	£450	£688-£2101	£98 - £1000	£393 - £8162	£1000
Major commercial (new build or extensions)	1000sqm-5000sqm	£960 if below 2000sqm	£2,415-£4,957	£2201.5 - £3000	£8806 - £16,848	£2500.
Large Major Commercial (new build or extensions)	5001 SQM+	£1500	£4,377-£6,770	£5,000 +£8000	£33,842 +	Bespoke PPA

Other Development

- 5.9 There are a number of other development types that do not neatly fall within a clear category, these include Changes of Use, Telecommunications, works to Listed Buildings, Protected Trees (TPOs and CATs), and Advertisement Consents, and these are grouped under 'Other Development'.
- 5.10 Rushmoor current pre-application fees have a set fee for changes of use (floor space and land, but excluding residential), currently £270. Pre-application or planning applications for the change of use of land are infrequent at Rushmoor, increasing the fee to £650 for up to 1HA would recoup the cost of providing such service, and whilst higher than the application fee, provides an opportunity for the applicant to resolve concerns prior to submission. The costs associated with such applications over 1HA are significantly over the planning application fee, and given the rarity of such applications it is considered reasonable to require a bespoke PPA.
- 5.11 With regards to the change of use of buildings/ structures, the £270 fee does not cover such costs. Rushmoor receives a number of these such applications, and these relate mainly to businesses moving into new premises, which is encouraged corporately.
- 5.12 The majority of the surrounding councils do not offer a separate 'floor space change of use' fee at the 'Gold Standard' level, and instead use the 'commercial' pre-app fee. To encourage communication with the planning team in these instances for small schemes, the pre-app fee is to be kept relatively low. However, schemes of over 1000sqm can be significantly more resource intensive, and a PPA is required to ensure a balance between cost recuperation and encouraging discussion.
- 5.13 The Council infrequently receives pre-application submissions for works to Listed Buildings and in the majority those cases do not require external advice. In terms of resource spent, most Listed Building pre-apps (like applications) are accompanied with a request for Planning Advice, and in these cases if the issues are 'simple' then there is no additional pre-app charge, if no development then a fee of £165 should apply. Most of such schemes comprises small internal changes with a time scale of a simple householder scheme. However, as the

¹⁵ Fee for non-change of use is based on SQM of new floor space. COU has a fixed fee.

Council does not have its own Conservation Officer, external advice would need to be sought for the more complex cases, resulting in an additional cost. In these cases, a bespoke PPA would be required.

- 5.14 This results in RBC providing a service that is within the range of fees supported by the surrounding authorities and recovers the staff cost, and some of the overhead cost of providing such service.
- 5.15 The LPA has its own Tree offer who determines CATs (Conservation Area Consents) and TPO consent applications (Tree Protection Order) and pre-applications. These are currently free but come at a cost to the LPA through the use of resource. A careful balance is required to ensure that applicants are not discouraged to apply for pre-application advice, resulting in a drain in office resource resolving issues at consent stage. Officers note that it is often difficult to encourage people to apply for TPO/CAT consent and the addition of a fee would make this harder. On balance, it is considered appropriate to continue no fee for these. The same is applied for Telecommunication proposals.

Development Category		Current	RBC staff plus 'on cost'	Surrounding authority cost range	Planning portal fee	Proposed fee
Change of use – commercial floor space (No extension or new buildings)	1-999sqm	£270	£613-£1,790	N/A	£578	£450
Change of use – commercial floor space (no extensions or new build)	1000sqm+	£270	£2,438--£4,981	N/A	£578	Bespoke PPA
Change of Use of land (non-residential)	Up to 1HA	£270	£662 – £1,367	265-900 ¹⁶	£578	£500
	Over 1HA	£270	£2,198 - £3,490		£578	Bespoke PPA
Works to Listed Buildings		£0		£250 - £900	£0	Simple case no development - £165. Complex cases PPA
TPO Trees and Trees in Conservation Areas		£0	£225	Case by case or £900	£0	£0
Advertisement consent		£0	£260-£400	Guildford - £900	£165	£100
Telecomms		£0	£147-£296	None stated		£0

Exemptions and concessions from charging

¹⁶ Based on a silver service and a gold

5.16 The current charging schedule includes three exemptions and these are proposed to remain. The first is in respect of the Wellesley (Aldershot Urban Extension) development, the reason being that Grainger PLC, through the S.106 agreement associated with the development, are providing funding for a full time Council Officer post for a ten-year period. The responsibilities of that officer include providing pre-application advice on future stages of implementation of the project. The second is in respect of the Council's own developments. This does not however relate to development schemes where the Council is involved as a partner or developer in commercial development and regeneration. The third relates to schemes submitted for pre-application advice by locally registered charities which serve the people of Rushmoor, and takes the form of the minimum charge (applicable to householder schemes and minor developments) regardless of the scheme involved.

6. Projected Impact upon pre-app income

- 6.1 The setting of the proposed fee increase has considered the potential for to put off some applicants on seeking the service, and fees have been adjusted at that stage to avoid such behaviours. The impact upon pre-application income has been calculated based on the type of pre-application submissions over the last year (September 23 – September 24) using the new fee structure.
- 6.2 The below income from existing fees does not align with fees received in the last financial year, and this is largely due to the difference in dates to which the data has been drawn (September to September rather than April – April)¹⁷. The changes result in an increase of 61% fee income. This largely due to the increase of the fees for residential development. It is therefore estimated that the fee changes could bring around £65,000 PA.

	Income from existing fees	Income from proposed fee
Total	£41,700	£67,525

7. Proposed fee structure

- 7.1 The resulting proposed fee structure is presented below.

¹⁷ Actual income from the period September 1st 23 – 31st August 24 was £39,746.51, and pre-app fees 'received' as per Uniform should have been £41,700 a difference of £1,953.49. The reason for this is being explored.

Development Category		Proposed fee
Householder	Basic	£55
	Small	£165
	complex	£200
Minor residential	1 dwelling	£600
Minor residential	2-9	£1,200
Major Residential	10-25	£2,700
Larger major residential	26-49	£4,000
Larger major residential	50+	Bespoke PPA
HMO	C3-C4 & Sui-generis	£550
Minor Commercial (non COU)	1-999sqm	£1000
Major commercial (non COU)	1000sqm - 5000sqm -	£2500
	2500sqm – 5000sqm	Bespoke PPA
Large Major Commercial (non COU)	5001 sqm+	Bespoke PPA
Change of Use (non-residential)	Up to 1HA 04 999sqm	£450
	Over 1HA or over 1000sqm	Bespoke PPA
Works to Listed Buildings	Simple case + planning permission not required	£165.
	Simple case + Planning permission required	Included as part of the Planning pre-app fee
	Complex cases	Bespoke PPA
TPO Trees and Trees in Conservation Areas		£0
Other	Advertisement consent,	£100
	Telecommunications	£0
	Other minor development	Bespoke PPA
	Other major development	Bespoke PPA

8. Alternative Options

- 8.1 There is no obligation on the council to adopt pre-application charges and the proposed revised pre-application fee increases seek to recover the of providing such service, whilst not diminishing the demands for such service. The alternative options are;

1. Not to charge pre-application fees
 2. Keep the current charging schedule
 3. Amend the proposed charging schedule
- 8.2 As the Council has identified a requirement to make substantial revenue savings on an ongoing basis. Therefore, not charging pre-application fees or maintaining charges are not considered acceptable options.
- 8.3 Amendments to the schedule could be made to increase fees further however for reasons detailed in the report this could reduce the use of the pre-application services which would result in more work with regard to submitted planning applications or enforcement. The recommended changes are considered to strike the best balance in maintaining high quality services, avoiding generating additional work and maximising income.

9. Consultation

- 9.1 This fee structure has been discussed with development management officers to seek their views both in a larger group setting and in smaller officer grade groups. Their comments have been incorporated within the results.

10 IMPLICATIONS (of proposed course of action)

Risks

- 10.1 Risks identified in previous reports were the possibility of public concern over a fee being taken from developers for private discussions, meetings and advice, in advance of planning applications giving rise to a perception that subsequent decisions on the applications would not be impartially taken; potential conflict with developers who have paid for advice but whose applications are unsuccessful; that charging would deter pre-application engagement and interrupt the flow of work through the system; that the proposed measures will not result in savings and additional income at the levels estimated; and that additional costs in staff and resources would be incurred in administering the new measures.
- 10.2 The report considers the above risks with regard to the individual fees and has addressed them as far as possible in setting the fees.
- 10.3 No formal complaints regarding the practice or ethics of pre-application charging have been received since introduction and existing staff resources are available to cope with the associated work.

Legal Implications

- 10.4 Councils can choose to recover the cost of pre-application work by making a charge under section 93 of the Local Government Act 2003 for providing a discretionary service. When making a charge, councils must set the charge at a level that does not generate a surplus. For this reason, Local Planning

Authorities (LPAs) should review their fees regularly and compare costs and incomes. Fees should be kept as simple and transparent as possible.

- 10.5 These comments have been reviewed by S Thorp, Corporate Manager – Legal Services.

Financial Implications

- 10.6 Through full recovery of costs of delivering the pre-application planning service, the councils wider financial position is protected. Incomes and costs should be break-even over a medium-term period, and regular review of charges to achieve this is appropriate.

- 10.7 As detailed above, the proposed changes to charges is projected to increase income to the council to better reflect the costs the council is currently incurring for this service.

- 10.8 Rosie Plaistowe – Financial Services Manager & Deputy S151

Resource Implications

- 10.9 No additional resource is required to deliver the pre-application service.

Equalities Impact Implications

- 10.10 The Equality Act 2010 requires local authorities to comply with the Public Sector Equality Duty. Taking into account all known factors and considerations, the requirement to consider, and have due regard to, the needs of diverse groups to eliminate discrimination, advance equality of opportunity and access, and foster good relations between different groups in the community. All pre-application submissions are assessed to make sure that the subsequent determination of the development proposal is compatible with the Act. If there is a potential conflict, this will be highlighted in the report on the relevant item. The cost for householder schemes and community/ charity groups are relatively low (£165/£200), and general informal planning advice is still provided without charge. Therefore, it is not considered that the proposal to increase fees would hinder opportunity and access to such service.

11 CONCLUSIONS

- 11.1 Since the last review of pre-application fees in 2021, the complexity of the planning process has increased, increasing the time demands for officers but also recognising the assistance of other specialisms within the Council. Since its introduction the pre-application service has a positive contribution to the planning service and delivery of development by providing greater certainty for applicants on likely decision outcome and enabling pre-formal submission problem resolution, ultimately resulting in development of a higher quality. The

pre-application service also provides an income that has been close to its budgetary estimates.

- 11.2 Risks such as factors outlined as risks prior to introduction have not given rise to organizational or reputational issues during this initial period.
- 11.3 Increasing the charges to reflect the cost of providing this discretionary service would be appropriate.

LIST OF APPENDICES/ANNEXES:

Appendix 1 – Pre-app fees of surrounding authorities.

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Appendix 1: Pre-app fees of surrounding Authorities.					
Development Category		Hart	Waverley ¹⁸	Surrey Heath ¹⁹	Guildford
Householder	small	£251 + 125 ph.; ²⁰	(Silver) £285	£150.00	silver ²¹ £180
	complex	£310 ²² + £50 SV ²³			
Minor commercial	1-999sqm	25% of planning fee (up to £7,816)	Up to 250sqm Bronze £463, silver £924.90 Over 250sqm Bronze and Silver - bespoke Gold – Bespoke	£1,000.00	up to 250sqm Bronze ²⁴ £168 , silver ²⁵ £280
	1000sqm+				500sqm Bronze £280 , Silver £400
Major commercial	1000sqm+			1,000 - 4,000 sqm £3000 5,000 - 9,999 £5,000 ; 10,000+ £8,000	1000sqm Bronze £450, Silver £735 up to 2500sqm Bronze - £565 , Silver £845 over 2500 sqm Bronze £845 , Silver £2,250
Minor Residential		1-9 Units - 25% of planning fee (£144+)	1 Unit - Gold £750	£500.00	1 – 4 Units Bronze £250.00 Silver £450 Gold - Bespoke
			2 – 9 units – Bronze £950 , Silver £1400		2-4 (£1,000); 2-9 £1,500
Major residential		25% of planning fee (10 Units £1,445), 25 units £3612.5 , 50 units £7225	Bespoke	10-20 £2,500 , 21-40 £3,500 , 41-60 £5000 ; 61-80 £7,000 ; 81-99 £8,000 ; 100+ £10,000	10-49 = Bronze - £750, Silver £1000, 50-99 Silver £2500, Gold bespoke
Non Resi COU	Up to 1HA	Not stated	Not stated	Not stated.	£900
	Over 1HA	Not stated	Not stated	Not stated	£900
TPOs,		Case by case	Not stated	Not stated	£900
Advertisement Consent		Not stated	Not stated	Not stated	£900
Listed Building		£433	£59 - £593		
HMOs		Not stated	Not stated	Not stated	Not stated
'Other Development' (LB, COU, Advert, Telecom)		Not stated	£265 (silver)	Not stated	£900

¹⁸ [Waverley Borough Council - Pre-application planning advice](#)

¹⁹ [Commercial and mixed-use \(including Change of Use\) Advice | Surrey Heath Borough Council](#)

²⁰ No meeting

²¹ SV, consult tree officer and ecologist, written response

²² With meeting

²³ Add for site visit

²⁴ (check planning constraints, comments on app amended after refusal, bullet point response.

²⁵ SV, consult tree officer and ecologist, written response