

Planning Fees & Performance Consultation Team
Planning – Development Management Division
Department for Levelling Up, Housing &
Communities
Third Floor, Fry Building
2 Marsham Street
London SW1P 4DF

Hannah Bartram
Chief Executive Officer
ADEPT

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Dear Planning Fees and Performance Consultation Team

Increasing planning fees and performance: technical consultation

The Association of Directors of Environment, Economy, Planning and Transport (ADEPT) represents 'directors of place' who are responsible for providing day-to-day services including local highways, recycling, waste and planning as well as the strategic long-term planning and delivery of sustainable places. ADEPT members are at the very heart of delivering clean sustainable growth, tackling climate change at a local level. We manage the projects that are fundamental to creating more resilient, inclusive and safe communities, economies and infrastructure.

ADEPT generally welcomes the consultation on increasing planning fees in recognition of the severe resource constraints local planning authorities are now working under. According to IFS, CIPFA and the Royal Town Planning Institute research, planning functions have seen the greatest reductions in local authority spend since 2010. This has been compounded by severe recruitment and retention problems with many chartered town planners leaving local government for the private sector. ADEPT therefore welcomes the recognition set out in this consultation that more resources are needed to support local planning authorities if the government is to achieve its ambitions from the reformed planning system emerging from the Levelling Up and Regeneration Bill. However, the government should recognise, as it did in its Planning White Paper, that a proper resourcing strategy is required. ADEPT could assist the government in developing a long-term approach for funding a modern efficient planning system.

Whilst we welcome the 35% uplift in major planning application fees, we question the logic of not also increasing the fees for other applications by 35%, rather than 25%. We would like to see all fees uplifted as even this will not achieve full- cost recovery which was the stated commitment when fees were introduced decades ago.

Whilst the 35% and 25% increases are in and of themselves a welcome development, we do call again on the Government to consider that all planning fees are decentralised to local planning authorities. This would not only provide place-responsive charging regimes but be far more flexible whilst generating the required resources to support the system without undue impact on local council tax payers.

We support the proposals to ring-fence the resources generated from this proposed fee increase and suggest this is undertaken simply by a confirmatory return from the Section 151 officer on how the resources are to be used to support local planning functions.

We consider that there is a major loophole with Section 73 applications which should be charged at a percentage of the original application fee as the level of work required can vary significantly between application types.

We believe the proposals could be much clearer in relation to how the proposals will affect waste and minerals applications. The proposals apply two different changes to planning fees, 35% for major and 25%, but otherwise retain the existing overall fees structure. This structure already has limitations for some county matter development including for example mineral permissions which can have long duration, sometimes taking decades. Circumstances change during such time and Section 73 applications deal with these changes but have a flat rate fee of £234, which is very low recompense for the amount of resource involved in such changes to these permissions (the fee is unlikely to cover the cost for the statutory press notice, let alone any officer time which can be substantial). It should also be noted that all minerals and waste planning applications are classified as major development (attract a fee increase of 35%). It is not clear if the flat rate fee for Section 73 would apply an increase by 35% or 25%.

Whilst we support the proposal for retrospective applications, we believe this could have unintended consequences and also needs to be backed up by long-awaited improvements to planning enforcement with much stronger enforcement powers. It is possible the proposal could act as a disincentive for landowners to submit applications to regularise unauthorised developments, so we suggest this is carefully considered before proceeding with this element of the consultation.

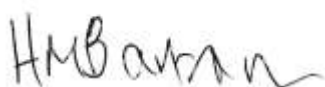
We strongly support the development of a qualitative measure or measures for planning functions rather than the long-standing over-reliance on quantitative performance targets regarding planning application processing times. ADEPT would suggest any new performance measures should be co-designed with the sector. Whatever performance regime is developed it must not raise the burden of monitoring and reporting which needs to be proportionate and outcome-focussed. ADEPT are prepared to assist in developing a future performance regime which strikes this balance working with government.

Whilst, overall, the proposals in this consultation are welcome, and we wish to see them implemented quickly, a more strategic and sustainable approach to funding planning functions in the future is required and should be capable of reflecting the impact of impending planning reforms.

There are many statutory planning functions that are not fee-generating but require substantial resourcing – for example local plan preparation, design codes, and planning enforcement. ADEPT believes the government should work with the sector to develop a new funding model which can address the resource needs of the new planning system which will emerge after the Levelling Up and Regeneration Bill receives Royal Assent.

We trust the above observations are of assistance to your deliberations and we are more than happy to discuss any of our comments further with you should that be required.

Yours faithfully



Hannah Bartram

Chief Executive Officer, ADEPT

Hannah.bartram@eastsussex.gov.uk