



REPORT OF: THE DIRECTOR OF GROWTH & DEVELOPMENT
TO: PLANNING AND HIGHWAYS COMMITTEE
ON: 15th FEBRUARY 2018
ORIGINATING SECTION: DEVELOPMENT MANAGEMENT SERVICE
WARDS AFFECTED: ALL
COUNCILLORS: ALL

TITLE OF REPORT:

Letter to Secretary of State for Housing, Communities & Local Government regarding fees relating to retrospective planning applications

1. PURPOSE OF THE REPORT

- 1.1 This report seeks approval from the Members for the letter which is attached to the report to be sent to the Secretary of State requesting a review is undertaken regarding the introduction of allowing local planning authorities to impose additional fees on retrospective planning applications.

2. BACKGROUND

- 2.1 The Government in 2011 were looking to introduce Local Fee Setting, which would have allowed local planning authorities to set their own fees relating to planning applications. A Benchmarking exercise was undertaken of which Blackburn With Darwen Borough Council took part. As part of this local fee setting, there was a new clause being introduced which would have allowed local planning authorities to impose extra fees to the application fee on retrospective planning applications, in order to recover costs from planning enforcement resource. Unfortunately the local fee setting proposal was dropped by the Government, and the National Fees were subsequently increased in 2012. The Council wrote to the Secretary of State in April 2015, expressing disappointment that the national fees did not recognise the resource provided by local planning authorities relating to retrospective fees, and this resource is not recovered in the respective planning application fee.
- 2.2 Recently, the national fees were increased by the Government, and came into force on the 17th January 2018, under The Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) (Amendment) Regulations 2017. Again, there was no provision for local

planning authorities so impose additional fees to the national application fee set for retrospective planning applications.

- 2.3 A report was presented to the Committee at the last meeting on the 18th January 2018, informing the members of this increase in the national fees. The Chair of the Committee noted at the meeting that the Council did not receive a response to the previous letter sent to the Secretary of State in April 2015, and requested that a further letter be sent following the recent coming into force of the national planning application fee increase.

3. RATIONALE

- 3.1 Please see attached draft version of letter to be sent to the Secretary of State.

4. POLICY IMPLICATIONS

- 4.1 None

5. FINANCIAL IMPLICATIONS

- 5.1 None

6. LEGAL IMPLICATIONS

- 6.1 None

7. RESOURCE IMPLICATIONS

- 7.1 None

8. EQUALITY IMPLICATIONS

- 8.1 An Equality Impact Assessment is not required.

9. CONSULTATIONS

- 9.1. The draft letter has been presented to the Planning Working Cross Party Members Group at their meeting on the 13th February 2018.

10. RECOMMENDATION

- 10.1 (i) That the Committee note and approve the content of the letter
(ii) The Committee agree for the letter to be sent to the Secretary of State for Housing, Communities & Local Government with immediate effect.

Contact Officer: Gavin Prescott, Development Manager
Date: 1st February 2018

Background Papers: none