

Report to National Park Authority: 16 October 2009

7.2 Pre Application Charges

Introduction

An active and responsive planning system is vital for the growth of the economy and the development of thriving, healthy, sustainable communities where people want to work, shop, live or visit. It helps to protect our natural and historic environment and supports individual citizens in improving their homes and property while protecting from over-intensive or inappropriate development.

The cultural change that has given rise to the spatial planning system recognises that there needs to be greater partnership between local planning authorities, the communities and the developers who channel the investment into homes, employment and community buildings and spaces. By working together on a project from the early stages developers and local planning authorities can achieve better outcomes for the community and for stakeholders. Open and constructive pre-application discussions, working jointly to create development that will provide a valuable resource for us all, can save time and optimise the potential of a site.

Old attitudes need to change, along with old practices on both sides of the development industry. Discussions need to be more transparent to keep public confidence in the system as well as for all parties to know what is possible on a site and what is available for negotiation.

Pre-application discussions are certainly important and benefit both developers and local planning authorities in ensuring a better mutual understanding of objectives and the constraints that exist. In the course of such discussions proposals can be adapted to ensure that they better reflect community aspirations and that applications are complete and address all the related issues.

The benefits to be delivered are in:-

- Avoiding incomplete applications that cannot be registered
- Reducing the number of unsuccessful planning applications
- Saving time and money
- Reducing confrontation in the planning system
- Raising the quality of developments
- Gaining community acceptance and support
- Securing satisfaction with the planning process

The ambition to introduce a structured pre-application regime for pre-application discussions, with charges, is contained in the Planning Directorates' Improvement Plan. This paper is intended to precede a consultation period which should start by

31st October 2009 followed by a trial period which should commence by 1st February 2010. Full implementation is programmed for 1st April 2010.

Key principles

Acting corporately.

Essential to effective pre-application discussions is a corporate approach on the part of the National Park Authority and its partners. Planners will play a key role in ensuring that the views of all specialist interests emerge, as far as possible, in an integrated form rather than as a set of contradictory views.

A sound policy framework.

This will provide a background against which a developer can draft proposals with confidence. Pre-application discussions provide the opportunity to test ideas against key principles within a constructive process, based upon flexibility, but where clarity exists on non-negotiable aspects of the scheme.

Negotiation.

It is important that both parties are aware of their organisations' objectives, their room for discretion and concessions, and their "bottom line".

Responsibilities of the National Park as a Planning Authority

- Encourage pre-application discussions in order to identify the key issues that will need to be addressed as a priority and resolve problems in advance.
- Arrange meetings and provide information in a timely manner that recognises the needs of the developer.
- Provide a named point of contact.
- Identify the people and organisations that need to be consulted and introduce them into discussions at the appropriate time.
- Identify the information required in connection with a planning application, including any gaps in policy or data that will have to be addressed before it can be determined.
- Ensure that negotiations involve the right staff, adequately trained and properly prepared for meetings.
- Identify the full decision making process, including the timetable and arrangements for consultation and participation as soon as possible.
- Make sure that the developer gets a co-ordinated view from all National Park officers involved in the development process.
- Produce a written record of all discussions.

Paying for pre-application discussions

Well organised and corporate pre-application discussions can be demanding of staff resources. However, the benefits to a developer of consistent, reliable and up to date advice tailored to a specific project and site provides a degree of certainty that is likely to result in cost savings through the avoidance of delays and abortive work. Fees can be set at a level that reflects the additional input from the National Park

Authority without acting as a disincentive to potential applicants to engage in the pre-application discussions. The payment of a fee is linked to the delivery of a thoroughly professional and timely service.

To gain value for money from a pre-application meeting it is necessary for a developer to provide the National Park Authority with sufficient prior information so that the planning officer invites all of the relevant people to participate. The developer should be able to leave the meeting with a clear view on how the proposals will be assessed and with an understanding of the changes needed to gain acceptability. The advice will be promptly confirmed by letter, giving the opportunity to explain the status of the advice, which must be without prejudice to the formal consideration of any subsequent application by the National Park Authority.

A suggested Guidance note is attached at [Annex 2](#) for members' consideration.

A copy of the document "A Material World" is attached at [Annex 3](#) for members' information.

- (a) **Financial, Staffing and Improvement implications:**
There will be the potential for an additional income generation stream as a result of the fee structure proposed.
- (b) **Equality Issues:**
No implications
- (c) **Sustainability Appraisal:**
This will allow us to build in sustainability benefits before formal submissions
- (d) **Human Rights:**
None identified
- (e) **Biodiversity Impact:**
This will allow us to build in biodiversity benefits before formal submission
- (f) **Contribution towards mitigating and adapting to the effects of climate change:**
There will be an opportunity to guide development proposals from an early stage and focus submissions on all sustainability issues.
- (g) **Background Papers:**
Planning Advisory Service paper "A material World".
- (h) **Corporate Objectives:**
Objective 1

Recommendation: That members note and agree the report as an introduction to consultation and implementation of a positive process on this issue.