

CONSULTATION ON RAISING PLANNING FEES

December 2016

Consultation on Raising Planning Fees

Purpose

1. The Scottish Government recognises the importance of planning in supporting economic growth, in the delivery of quality homes and in community empowerment. We have committed to consulting on enhanced fees, following the independent review of planning recommendation that fees for major applications should be increased substantially so that the service moves towards full cost recovery. This paper seeks views on a new fee maximum of £125,000 for major applications for most categories of development (£62,500 for applications for planning permission in principle). It includes details of a reduced charge per unit or per 0.1 hectare for developments over a certain size to ensure that applicants in Scotland do not pay more than they would in other administrations for any size of proposed development. We will be considering wider changes to the fee structure, including scope for further discretionary charging taking account of changes to the planning system flowing from the review.

Aim

2. Planning fees are currently capped at £18,270, £20,055 and £30,240 depending on the category of development. The aim of this amendment to the current fees regulations is to raise the current planning fees maxima for most categories of development to a revised cap of £125,000 to better reflect the level of resources they demand. The proposed changes retain the current structure and do not contain any across the board increase. The changes proposed are set out in paragraphs 5 to 8 below. We recognise the specific challenges faced by the Agriculture and Aquaculture sectors and note the extremely limited instances of such proposals being of a scale that would reach the existing fee maxima. This consultation does not propose an increase to the maxima for these categories of development.

Linking fees to performance

3. The overall resourcing of the planning service is the responsibility of local authorities. The planning service is financed through the local authority's budget and fees from planning applications. Scottish Ministers expect a planning system that is reliable, proportionate and provides a service that is focused on delivery which is able to develop, share and adopt good practice for continuous improvement.
4. Scottish Ministers agree with the views expressed in the review that any increase in fees must be linked to sustained improvements in performance. The fee increase proposed in this paper will provide increased resources to planning authorities to help support performance improvement. Following consultation on the review of planning Scottish Ministers will reflect on the need for further changes to resourcing the planning system and will consider, together with the High Level Group on Planning, how the link between fees and performance can be maintained and strengthened.

Table of fees

5. There is no change proposed to the current planning fee per unit of £401 for developments up to 50 units. Housing developments containing 50 residential units would pay £20,050 and any additional unit will be charged at £200 per unit until the fee maximum of £125,000 for 575 houses is reached.
6. There is no change proposed per hectare up to the current fees maxima (£18,270, £20,055 and £30,240 depending on the category of development) and additional hectares are proposed to be charged at a lesser rate until the fee maximum of £125,000 (4.3 hectares) is reached. The introduction of a lower rate which will apply over a specified amount should help moderate the impact on major projects of the higher fee maximum.
7. For applications for planning permission in principle (PPP) we propose similar changes per house or by per 0.1 hectare. The maximum for PPP will be raised to £62,500.
8. This would apply to the following categories of development:

<p>1. Residential development (other than alteration of an existing dwelling).</p> <p>(a) There will be no change in PPP fee of £401 per 0.1 hectares up to £10,028 however, thereafter £100 per 0.1 hectare will be charged until the fee maximum of £62,500 is reached.</p> <p>(b) There will be no change in the current fee per unit of £401 for developments up to 50 units. Housing developments containing 50 residential units would pay £20,050 and any additional unit will be charged at £200 per unit until the fee maximum of £125,000 is reached.</p> <p>2. The erection of buildings (other than residential, agricultural buildings and glasshouses, and alteration of existing dwellings.).</p> <p>(a) There will be no change in PPP fee of £401 per 0.1 hectares up to £10,028 however, thereafter £100 per 0.1 hectare will be charged until the fee maximum of £62,500 is reached.</p> <p>(b) to add section (iv) where the area of gross floor space exceeds 3750 square metres £200 for each 75 square metres (or part thereof) subject to a maximum of £125,000</p> <p>3. Plant or machinery. There will be no change in the current fee of £401 per 0.1 hectares up to a maximum of £20,050 however, thereafter £200 per 0.1 hectare will be charged until the fee maximum of £125,000 is reached.</p> <p>4. The carrying out of any operations connected with the exploratory drilling for oil or natural gas. There will be no change in the fee of £401 per 0.1 hectares up to £30,240 however, thereafter £200 per 0.1 hectare will be charged until the fee maximum of £125,000 is reached</p>

5. The carrying out of other operations as set out in Category 10 of the Schedule in the Town and Country Planning (Fees for Applications and Deemed Applications) Amendment Regulations 2014.

There will be no change in the case of operations for the winning and working of minerals of the fee of £202 per 0.1 hectares up to £30,240, however thereafter £100 per 0.1 hectare will be charged until the fee maximum of £125,000 is reached.

6. The change of use of a building to use as one or more dwellinghouses.

There will be no change in the current fee per unit of £401 for developments up to 50 units. Housing developments containing 50 residential units would pay £20,050 and any additional unit will be charged at £200 per unit until the fee maximum of £125,000 is reached.

7. The use of land for waste disposal and mineral stocking. There will be no change in the fee of £202 per 0.1 hectares up to £30,240, however thereafter £100 per 0.1 hectare will be charged until the fee maximum of £125,000 is reached.

9. Examples of how the new fees would work in practice:

Residential development

Small development:
25 houses
- current = £10,025
- proposed = £10,025

Medium development:
100 houses
- current = £20,050
- proposed = £30,050

Large development:
500 houses
- current = £20,050
- proposed = £110,050

The erection of buildings other than residential and agricultural

Small development:
1,500m²
- current = £8,020
- proposed = £8,020

Medium development:
5,000m²
- current = £20,050
- proposed = £23,450

Large development:
10,000m²
- current = £20,050
- proposed = £36,850

Plant and machinery

Small development:
1 hectare
- current = £4010
- proposed = £4010

Medium development:
5 hectares
- current = £20,050
- proposed = £20,050

Large
10 hectares
- current = £20,055
- proposed = £30,050

We propose a 2 stage approach to reviewing planning fees, with an initial increase to the fee maximum for these categories of development, followed by a wider review of the fee structure once the current planning reform programme has identified changes to the planning system. As a first stage, do you agree with the proposed maximum fee level?



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RESPONDENT INFORMATION FORM

Please Note this form **must** be returned with your response.

Are you responding as an individual or an organisation?

- Individual
 Organisation

Full name or organisation's name

Phone number

Address

Postcode

Email

The Scottish Government would like your permission to publish your consultation response.
Please indicate your publishing preference:

- Publish response with name
 Publish response only (anonymous)
 Do not publish response

We will share your response internally with other Scottish Government policy teams who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so. Are you content for Scottish Government to contact you again in relation to this consultation exercise?

- Yes
 No

Responding to this Consultation

We are inviting responses to this consultation by 27 February 2017.

Please respond to this consultation using the Scottish Government's consultation platform, Citizen Space. You view and respond to this consultation online at <https://consult.scotland.gov.uk/planning-architecture/consultation-on-raising-planning-fees>. You can save and return to your responses while the consultation is still open. Please ensure that consultation responses are submitted before the closing date of 27 February 2017.

If you are unable to respond online, please complete the Respondent Information Form (see "Handling your Response" below) to:

Chief Planner
Scottish Government
2 H South, Victoria Quay
Edinburgh EH6 6QQ

Handling your response

If you respond using Citizen Space (<http://consult.scotland.gov.uk/>), you will be directed to the Respondent Information Form. Please indicate how you wish your response to be handled and, in particular, whether you are happy for your response to be published.

If you are unable to respond via Citizen Space, please complete and return the Respondent Information Form attached included in this document. If you ask for your response not to be published, we will regard it as confidential, and we will treat it accordingly.

All respondents should be aware that the Scottish Government is subject to the provisions of the Freedom of Information (Scotland) Act 2002 and would therefore have to consider any request made to it under the Act for information relating to responses made to this consultation exercise.

Next steps in the process

Where respondents have given permission for their response to be made public, and after we have checked that they contain no potentially defamatory material, responses will be made available to the public at <http://consult.scotland.gov.uk>. If you use Citizen Space to respond, you will receive a copy of your response via email.

Following the closing date, all responses will be analysed and considered along with any other available evidence to help us. Responses will be published where we have been given permission to do so.

Comments and complaints

If you have any comments about how this consultation exercise has been conducted, please send them to: Chief.Planner@gov.scot

Scottish Government consultation process

Consultation is an essential part of the policy-making process. It gives us the opportunity to consider your opinion and expertise on a proposed area of work.

You can find all our consultations online: <http://consult.scotland.gov.uk>. Each consultation details the issues under consideration, as well as a way for you to give us your views, either online, by email or by post.

Consultations may involve seeking views in a number of different ways, such as public meetings, focus groups, or other online methods such as Dialogue (<https://www.ideas.gov.scot>)

Responses will be analysed and used as part of the decision making process, along with a range of other available information and evidence. We will publish a report of this analysis for every consultation. Depending on the nature of the consultation exercise the responses received may:

- indicate the need for policy development or review
- inform the development of a particular policy
- help decisions to be made between alternative policy proposals
- be used to finalise legislation before it is implemented

While details of particular circumstances described in a response to a consultation exercise may usefully inform the policy process, consultation exercises cannot address individual concerns and comments, which should be directed to the relevant public body.



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