11 June 2013

Planning Fees Consultation
Planning Policy Division
Department of the Environment
Level 3 Millennium House
17-25 Great Victoria Street
Belfast BT2 7BN

Dear Sir/Madam

Consultation Response on Review of Planning Fees and Funding

I enclose for your attention, Strabane District Council's response to the Department's consultation on the above.

Yours sincerely

Interim Clerk and Chief Executive
Consultation Response
Review of Planning Fees and Funding
**Introduction**

Strabane District Council welcomes the opportunity to respond to this consultation document on the Review of Planning Fees and Funding. This issue is of critical relevance to Councils due the fact that planning functions will transfer to local government by April 2015. Council is therefore fully supportive of the Department’s objective of developing a robust and fit for purpose charging system which will secure the sustainability of the planning system in advance of the transfer of these functions to local government.

Whilst Council accepts that the Department has been unable to obtain full cost recovery from its planning fees for its associated services; Council advocates that any changes implemented to the planning fees must be equitable and contribute to the sustainability of the planning service whilst also facilitating other Council functions such as regeneration and economic development.

Council response to each of the consultation proposals is outlined below:

**Q1. Introduction of reduced fees for applications to renew planning permission.**

Council welcomes the proposal to introduce a reduction in the planning fees for an application to renew planning permission. Furthermore Council commends the Department for taking cognisance of the current economic downturn and for implementing such a proposal which will be of particular benefit to Building Developers during these challenging economic times. The current rules simply serve as a further financial obstacle for applicants to renew their planning permission which then has a direct impact on the economic recovery of our District.

Council however would suggest that the reduction should be greater than 25% on the basis that a lot of the initial assessment and associated planning policy will still apply to the application for renewal of planning permission. Council would therefore request that the Department reviews the proposed level of reduction to ensure that it accurately reflects the proportion of additional work required of a renewal application.

**Q.2 Introduction of a revised methodology for calculating fees for applications for mixed use development.**

Council notes that the implementation of this revised methodology will result in increased fees for applicants (with the exception of applications involving components within categories 5, 7 or 8). Council accepts the rationale for this revised methodology i.e. such is needed to ensure that fee levels are set which are proportionate to the work involved in processing and making decisions on planning applications and to ensure that the fees paid by applicants who submit
an application under a single category, are not unfairly subsidising those applications which involve mixed use developments.

Council takes assurance from the Department’s confirmation that this proposal will affect a small percentage of applications (1.85% in 2011/12) and should therefore have a limited impact on any one business sector or industry. Council however would request that this change in methodology is monitored to ensure that no differential impact transpires with any particular category of applicant.

Q3. Council agrees that an exception should be made for applications containing more than one of the red-line categories (categories 5, 7 and 8) or at least one red line based fee category and at least one non red-line based fee category. Council also agrees that the fee for each separate component should be assessed separately and only the highest fee charged.

Q4. Removal of fee exemptions for resubmitted applications for Certificates of Lawful Use or Development (CLUD) and consent to display advertisements.

Council accepts the proposal to remove this fee exemption, however believes that the fee for the resubmitted application should be set at a reduced level to the original fee. This is based on the fact that there may be little material change in policy or conditions which were assessed as part of the original assessment, which will therefore reduce the level of resources required to process the application.

Q5. Removal of anomaly in Category 2 – Fee for two or more dwelling houses

Council accepts that the anomaly created in Phase 1 of the fees and funding review which resulted in the fee for building two houses being cheaper than building one house, requires correction. Council also accepts that additional fees should be applied for each additional dwelling; however queries if the increase is disproportionate to the amount of extra resources actually required to process an application with a number of dwellings wherein the plans submitted will be very similar and the planning requirements will be duplicated on many aspects.

Q6. Removal of a fee for non profit making organisations in respect of applications for the provision of community facilities (including sports grounds) and playing fields.

Council fully supports this proposal. In times of continual funding cuts, it is important that assistance is provided in respect to the development of these community facilities.
Q7. Introduction of a revised methodology for calculating the fee for Category 8 applications (Minerals, Gas and Waste).

Council agrees that the fee for category 8 applications should be calculated per 0.1 hectare unit of site area. This change will ensure that applications which have site areas which fall outside 0.5 hectare divisions are not charged for areas in excess of their specific site area. This change in methodology will also align with methodologies used in other UK jurisdictions.

Whilst Council accepts the new unit on which the fee is to be calculated; it does query the set rate of £365 per 0.1 hectare; this rate is at least 50% higher than rates applied in other jurisdictions. Council notes however that the Northern Ireland rate is capped at a maximum of £40,034, which is lower than the cap for England and Wales which is set at £65,000 (for site areas in excess of 15ha). Any financial benefit to be gained from this cap however will only apply to applications with site areas of 11 hectares or more. Council would be concerned therefore that this methodology may be to the detriment of applications with site areas of less than 11 hectares. Council could therefore not lend its support to the set rate proposed within this methodology, without some evidence on the prevalence of applications of site areas less than 11 hectares and of applications of a site area of at least 11 hectares.

Council would like assurance that on analysis of this data, applicants in Northern Ireland are not paying excessive planning application fees within this category, in comparison with other applicants within the UK.

Q8. Please provide any information you may have on the costs and/or benefits set out in the partial Regulatory Impact Assessment.

Council is disappointed that an estimate of net present value (NPV) could not be provided as part of this consultation, as this would have given a greater level of assurance on the total economic cost or benefit of the proposals.

Q.9 Please provide any comments you may have on the EQIA screening form.

Council accepts that the proposed changes to planning fees do not appear at this stage to have any negative differential impact on equality of opportunity or good relations, however if any negative impact is highlighted through this consultation process then such must be assessed and actioned before the changes are implemented.

Interim Clerk and Chief Executive