



<b>Subject:</b>	Pre-Application Discussions – Scale of Charging
<b>Date:</b>	14 <sup>th</sup> March 2017
<b>Reporting Officer:</b>	Phil Williams, Director of Planning and Place
<b>Contact Officer:</b>	Ed Baker, Development Engagement Manager

<b>Is this report restricted?</b>	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
<b>Is the decision eligible for Call-in?</b>	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>

<b>1.0</b>	<b>Purpose of report or summary of main issues</b>
1.1	The purpose of this report is to seek the Committee’s agreement to the proposed Scale of Charging for Pre-Application Discussions at <b>Appendix 1</b> . This follows feedback from planning agents at customer workshops held on 1 <sup>st</sup> March 2017. It also follows online consultation with the development industry on the Pre-Application Discussion process, including the option of charging, held between 22 <sup>nd</sup> February and 10 <sup>th</sup> March 2017. A copy of example guidance on the Pre-Application Discussion service is provided at <b>Appendix 2</b> .
<b>2.0</b>	<b>Recommendations</b>
2.1	The Committee is asked to agree the Scale of Charging for Pre-Application Discussions found at <b>Appendix 1</b> . It is recommended that the Scale of Charging for Pre-Application Discussions comes into effect immediately and that it is reviewed after 12 months.
<b>3.0</b>	<b>Main report</b>
3.1	<u>Background</u> At its meeting of 13 <sup>th</sup> December, the Committee agreed that Officers should carry out informal consultation with stakeholders, including agents, developers and landowners on a draft Scale of Charging for Pre-Application Discussion (PAD) advice.

<p>3.2</p> <p>3.3</p> <p>3.4</p>	<p>The Strategic Planning Policy Statement for Northern Ireland (“SPPS”), adopted September 2015, recognises that PADS are ‘...<i>fundamental to ‘front loading’ the new development management system. This front loading will help all parties, both to prepare an application to a high standard and to establish an agreed course and timetable for determining a development proposal</i>’.</p> <p>Development Management Practice Note 10 - Pre-Application Community Consultation recognises that the pre-application process is not a statutory requirement and is optional. However, by facilitating effective and meaningful pre-application discussions, a Council can ensure that opportunities to work collaboratively with applicants and to improve the quality of developments are maximised.</p> <p>Many local planning authorities, including UK Core Cities, utilise this approach for strategic, major, and other forms of development, and charge for this service. Example charging rates by other Cities is included at <b>Appendix 1</b>.</p>
<p>3.5</p> <p>3.6</p> <p>3.7</p>	<p><u>Key issues</u></p> <p>Belfast is facing an unprecedented level of growth where the development pipeline includes very significant commercial and employment generating developments. The Council is committed to encouraging quality developments in the capital city of Northern Ireland.</p> <p>To support applicants investing in such developments the Council needs to provide certainty and sufficient resources to ensure that planning applications for large scale, complex and other types of proposal are dealt with in a timely manner. It is therefore necessary to introduce a charging for the PAD service.</p> <p>Workshops were held with planning agents on 1<sup>st</sup> March 2017 to discuss the Pre-Application Discussion process and option for charging for this service. In addition to the Workshops, an online customer survey on the Pre-Application Discussion process was undertaken between 22 February and 10 March 2017. Feedback from the workshop and customer survey are summarised below.</p>
<p>3.8</p>	<p><u>Workshops with Planning Agents on 1<sup>st</sup> March 2017</u></p> <p>Two identical workshops were held with Planning Agents on 1<sup>st</sup> March 2017. Developers/landowners were also invited but none asked to attend.</p>

3.9

A summary of the key findings is provided below:

- 14 Planning Agents attended the workshops. 4 were architects and 10 were planning consultants. These included smaller practices, larger Northern Ireland based practices; and UK/international practices;
- Unanimous agreement that a PAD service is required;
- Advice given by the Council must be meaningful and give added value to the process (i.e. not simply regurgitating planning policies);
- The PAD process should give a reasonable level of certainty; it should mean that there are no major surprises once the planning application is lodged;
- Response times are very important if the service is to work. There was recognition that external consultees (such as Transport NI and NIEA Historic Environment Division) are often key to the process but their ability to respond is outside the control of the Council;
- The responsibilities on both sides (Council and customer) needs to be clear;
- The ability to discuss what information is needed with an application is very important. Planning Agents welcomed the suggestion of the Council publishing a “Local Validation List” which sets out information requirements;
- Planning Officers to be empowered to give advice and have the confidence to do so;
- There needs to be a cultural change whereby all Planning Officers are proactive in working with customers to work through issues (only some do at the moment); there should be more emphasis on collaboration;
- A common theme was the suggestion that a tiered PAD service should be provided – the ability to obtain either high level or detailed advice depending on the client’s needs;
- The best PADs are when all the stakeholders are sitting around a table;
- The quality of the Council’s PAD service is currently inconsistent and variable;
- PAD advice should be provided by sufficiently experienced Planning Officers;
- If an application follows a PAD there is an expectation that the planning application process should be quicker;
- PAD advice should always be provided in writing (although meetings are important);
- There was a concern from one Planning Agent that if an applicant does not submit a PAD then their application will not be looked on favourably;
- Most Planning Agents agreed to the principle of charging for PAD advice, but this would go hand in hand with higher expectations for the service;
- The PAD service should be properly resourced; concern that the Council may not be able to meet demand for PADs on smaller Local proposals;

	<ul style="list-style-type: none"> <li>• Some suggested that the PAD fee should be deducted from the planning application fee when it is submitted;</li> <li>• Another view was that the Council should not charge for PADs on the basis that the application process would be made more efficient and quicker;</li> <li>• Will the fee be returned to the customer if there is no response within the set period?</li> </ul>
3.10	<p><u>Online customer survey</u></p> <p>The Council ran an online customer survey using corporate software, <i>Citizen Space</i>, between 22<sup>nd</sup> February and 10 March 2017. The customer survey was aimed at the development industry including planning agents and developers/landowners.</p>
3.11	<p>A summary of the key findings at the time of writing is provided below:</p> <ul style="list-style-type: none"> <li>• 33 customers responded to the survey (25 were architects and 6 planning agents);</li> <li>• 93.75% felt that the Council should provide a PAD service (6.5% didn't know/no reply);</li> <li>• Key reasons for requiring a PAD include the following: <ul style="list-style-type: none"> <li>- establishing whether permission is required;</li> <li>- identifying the type of information required to support an application;</li> <li>- advice on which planning policies apply; whether a proposal is acceptable in principle; advice on relevant issues and an initial assessment of those issues;</li> <li>- advice on Section 76 planning agreement and developer contributions; and</li> <li>- whether or not the Environmental Impact Regulations apply;</li> </ul> </li> <li>• Feedback on the Council's existing PAD service: <ul style="list-style-type: none"> <li>- Ability to obtain advice – mostly "fairly satisfied"</li> <li>- Usefulness of advice given – mostly "fairly satisfied"</li> <li>- Quality of advice given – mostly "fairly satisfied"</li> <li>- Timeliness of advice – mostly "fairly dissatisfied"</li> <li>- Ability to talk to a Planning Officer – mostly "fairly dissatisfied"</li> <li>- Overall – mostly "fairly dissatisfied"</li> </ul> </li> <li>• 52% of customers said that they would pay for a PAD service if it ensured the high quality service they were looking for. 33% said they would not with 15% unsure. Key provisos for charging included timely response times; and quality outputs (i.e. not regurgitating planning policies). There was a suggestion of a dedicated PAD team.</li> </ul>

3.12	<p><u>Conclusion</u></p> <p>The informal consultation with the development industry has been very useful. The workshops were particularly well received by Planning Agents and there was agreement that workshops would provide a good forum for discussing other aspects of the Planning Service. The intention is to hold further workshops with customers in the future.</p> <p>There was complete consensus that a Pre-Application Discussion service is needed. There was recognition of the benefits that the Pre-Application advice has for the application process. Whilst not everyone agreed that the Council should charge for PAD advice, most felt that it would be acceptable provided that the Council is able to deliver a good level of service. Customers are looking for clear advice and direction from Planning Officers. They would like a collaborative approach whereby the Planning Service works with customers to try to resolve issues. Planning should be about finding solutions and not barriers; and officers advise that this should be a key principle in how the Planning Service operates.</p> <p>The Planning Service has recently recruited two additional Senior Planning Officers and is in the process of recruiting two new Assistant Planners. Alongside the service improvements identified by the <i>Development Management Improvement Plan</i>, the Planning Service is confident that it can deliver an appropriate level of Pre-Application Discussion service. Example guidance on how it is envisaged the PAD service will operate is provided at <b>Appendix 2</b>.</p> <p>It is recommended that the Planning Service introduces the Scale of Charging at <b>Appendix 1</b> with immediate effect and that the service be reviewed after 12 months to reflect on how it has operated and what can be improved.</p>
3.13	<p><u>Financial &amp; Resource Implications</u></p> <p>Charging for Pre-Application Discussions is an important income stream that will support the delivery of this vital part of the planning process.</p>
3.14	<p><u>Equality or Good Relations Implications</u></p> <p>None</p>
<b>4.0</b>	<b>Appendices – Documents Attached</b>
4.1	<p>Appendix 1 – Proposed Charging Schedule for Pre-Application Discussions</p> <p>Appendix 2 – Example guidance on the Pre-Application Discussion Service</p>