



Department for
Communities and
Local Government

Simon Gallagher
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Department for Communities and Local
Government

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Chief Executives of Local Planning
Authorities in England
[Via Email]

21 February 2017

Dear Chief Executive,

Planning application fees: the Government's offer

'Fixing our broken housing market' was published on 7 February 2017. It includes proposals for boosting local authority capacity and capability to deliver, improving the speed and quality with which planning cases are handled, while deterring unnecessary appeals.

As set out paragraph 2.13 of the White Paper, developers consistently tell us that the lack of capacity and capability in planning departments is restricting their ability to get on site and build. Alongside funding, local authorities also report difficulties in recruiting and retaining planners and others with specialist skills. There may also be wider capacity and skills issues for local authorities. To boost local authority capacity and capability to deliver, paragraph 2.15 explained that the Government will **increase nationally set planning fees**. Local authorities will be able to increase fees from 20% from July 2017 if they commit to invest the additional fee income in their planning department.

This letter invites you confirm your intention in relation to the fee increase. It is intended that the additional revenue should be retained by planning departments and that existing baseline and income assumptions will not be adjusted down as a result during this Parliament. This is an opportunity for all authorities to make improvements to their resourcing, leading to better services, improved performance, and greater capacity to deliver growth as set out in *'Fixing our broken housing market'*.

'Fixing our broken housing market' proposes a further increase of 20% for those authorities who are delivering the homes their communities need. This would also be on the understanding that the additional fee income generated will be invested exclusively in planning services. We will consult further on the detail of this proposal and the timing on it being brought forward.

For your authority to benefit from the higher planning application fees, we require your section 151 officers, under s230 of the Local Government Act 1972, to provide a commitment and submit information of the 2017/18 budget that demonstrates the additional fee income being spent on planning services. Annex A sets out details the information required.

Should your authority not wish to charge the increased fee, the existing fee structure will remain in place. Where authorities do accept, but do not comply with the assurances it has

provided, the Secretary of State will consider reducing the fee level for that authority back to the original fee level through a change in regulations.

Annex B includes a template for section 151 officers to sign and return. Replies should be sent to planningresources2@communities.gsi.gov.uk by Monday 13th March. It is important that a response is received from all local authorities; indicating whether or not the increased fee offer is to be accepted. You are also asked to confirm the correct legal name of your authority at Annex C, and return this with the template in Annex B. This will be used in the statutory instrument bringing forward the fee increase.

I would be grateful if you could forward a copy of this letter to s151 officers and the officer with lead responsibility for planning services within your authority.

Yours Sincerely,

A handwritten signature in black ink, appearing to read 'S.J. Gallagher', written in a cursive style.

Simon Gallagher

Annex A: Information section 151 officers should commit to providing

Alongside the condition to spend the additional income generated on planning, we are asking section 151 officers to provide DCLG with certain information to demonstrate that the additional funding is being spent on development management.

We therefore ask that authorities submit the following information, on the basis that your budget has been set, and on the assumption that regulations are in place by July 2017.

- Estimate of final income from planning application fees in 2016/17.
 - Estimate of final expenditure on planning/development management in 2016/17.
 - Estimated income from planning application fees in 2017/18.
 - Estimated additional income generated from higher fees.
 - Estimated expenditure on planning/development management in 2017/18.

The letter in Annex B includes a table in which to provide this information.

Annex B: Template letter for s151 officers to sign

Dear Simon Gallagher,

In reply to your letter of 21st February 2017 I am writing to certify that **[Insert name of authority]** has determined to:

Accept the proposed 20% increase in planning application fees.....

Reject the proposed 20% increase in planning application fees.....

If accepting:

I confirm that the amount raised through these higher fees will be spent entirely on planning functions.

I can also confirm that the full legal name for this authority to be used in regulations is

.....

Please also confirm this legal name in the table in Annex C, and return to planningresources2@communities.gsi.gov.uk with this letter.

I submit the following information, as requested.

	2016/17	2017/18
Estimated expenditure on development management		
Estimated income generated from planning application fees		
Estimated additional income generated from higher planning fees	N/A	

Yours sincerely

[S151 officer]