



**Hinckley & Bosworth
Borough Council**

Forward timetable of consultation and decision making

Council 28 November 2023

Wards affected: All wards

Increase in planning application fees

Report of Head of Finance (Section 151 Officer)

1. Purpose of report

1.1 To inform members of the statutory increase in planning fees to commence as from the 6 December.

2. Recommendation

2.1 That the Council note the increases in the scale of fees in relation to planning charges as from the 6 December 2023.

3. Background to the report

3.1 The draft regulations that introduce the government's proposal to raise planning application fees by 35 per cent rise for major applications and 25 per cent rise for all others, were laid in Parliament before the summer recess, and stated that they will "come into force 28 days after the day on which they are made".

3.2 The statutory instrument was made last Wednesday (8 November) –The Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) (Amendment) Regulations 2023 (1197) ("The Regulations"), having been approved by both Houses of Parliament, meaning that the Regulations, and the fee increase, will commence on Wednesday 6 December.

3.3 The Regulations show the maximum fee for major applications will therefore rise to £405,000, while the fee for householder applications will increase from £206 to £258 on that date.

- 3.4 Application fees will also be adjusted annually from 1 April 2025 based on the Consumer Prices Index (CPI) from the previous September, with any annual fee increases capped at ten per cent.
- 3.5 The Government have also abolished the 'free-go' for repeat applications, which allows an applicant to reapply within 12 months for planning permission for the same site and not have to pay a further fee.
- 3.6 The timescale for the 'planning guarantee' right of refund for applicants is to be tightened up for non-major applications, which means they can reclaim their fee if a decision has not been made within 16 weeks of submitting their application, compared to the current 26 weeks.
- 3.7 It had been proposed that "additional income arising from the proposed fee increase should be ringfenced for spending within the local authority planning department". This will not be the case as it has been decided that councils are best placed to make funding decisions.
- 3.8 Pre-application advice fees are not set by the Government through legislation and therefore the same proposed rises in fees do not apply. Instead pre-application fees will rise in line with inflation annually, between 2% and 3% for 2024/25.

4. Exemptions in accordance with the Access to Information procedure rules

- 4.1 Report is to be taken in open session.

5. Financial implications [AW]

- 5.1 Details of primary fee changes are attached in Appendix A.
- 5.2 Budgetary implications arising from the changes will be included in the General Fund budget report to be presented to Council in February 2024.

6. Legal implications

- 6.1 Planning fees in England are set nationally by the government and are detailed in the Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012, as amended.

7. Corporate Plan implications

- 7.1 Suitable Planning fees are required to ensure that resources are effectively allocated to ensure delivery of all the aims, outcomes and targets included in the Council's Corporate Plan.

8. Consultation

- 8.1 All members of the Strategic Leadership Team have been consulted in preparing this Strategy.

9. Risk implications

- 9.1 It is the council's policy to proactively identify and manage significant risks which may prevent delivery of business objectives.
- 9.2 It is not possible to eliminate or manage all risks all the time and risks will remain which have not been identified. However, it is the officer's opinion based on the information available, that the significant risks associated with this decision / project have been identified, assessed and that controls are in place to manage them effectively.
- 9.3 The following significant risks associated with these report / decisions were identified from this assessment:

Management of significant (Net Red) risks

Risk description	Mitigating actions	Owner
That the Council has insufficient resources to meet its aspirations and cannot set a balanced budget	A budget strategy is produced to ensure that the objectives of the budget exercise are known throughout the organisation. The budget is scrutinised on an ongoing basis to ensure that assumptions are robust and reflective of financial performance. Sufficient levels of reserves and balances have been maintained to ensure financial resilience	A Wilson

10. Knowing your community – equality and rural implications

- 10.1 The budget process will impact on all areas of the Borough and all groups within the population.

11. Climate implications

- 11.1 The stewardship of the financial resources of the council underpins all policy actions to address the council's objectives in ensuring it manages its resources to ensure climate considerations are achieved in accordance with the corporate plan.

12. Corporate implications

- 12.1 By submitting this report, the report author has taken the following into account:

- Community safety implications

- Environmental implications
- ICT implications
- Asset management implications
- Procurement implications
- Human resources implications
- Planning implications
- Data protection implications
- Voluntary sector

Background papers: None

Contact officer: Ashley Wilson

Executive member: Cllr K Lynch

Appendix A

Hinckley & Bosworth Borough Council Town and Country Planning Fees Applications - scale of fees 1

Outline Applications	Current Charge	Changes from 06/12/23
£462 per 0.1 hectare for sites up to and including 0.5 hectares Not more than 0.5 hectares	£462 per 0.1 hectare	£578 per 0.1 hectare
Between 0.5 hectares and 2.5 hectares		£624 per 0.1 hectare
£11,432 + £138 for each 0.1 in excess of 2.5 hectares to a maximum of £150,000 More than 2.5 hectares	£11,432 + £138 per 0.1 hectare	£15,433 + £186 per 0.1 hectare
Householders Application		
Alterations/extensions to a single dwellinghouse, including works within boundary Single dwelling house	£206	£258
Full Applications (and First Submissions of Reserved Matters; or Technical Details Consent)		
Alterations/extensions to two or more dwellinghouses, including works within boundary Two or more dwellinghouses (or two or more flats)	£407	£509
New dwellinghouses (up to 10) New dwellinghouses (not more than 50)	£462 per dwellinghouse	£578
New dwellinghouses (10-50) New dwellinghouses (between 10 and 50)	£624 per dwellinghouse	£624
New dwellinghouses (for more than 50) £22,859 + £138 per additional dwellinghouse in excess of 50 up to a maximum fee of £300,000 New dwellinghouses (more than 50)	£22,859 + £138 per additional dwellinghouse	£30,860 + £186 per additional dwelling in excess of 50 up to a maximum of £405,000
Erection of buildings (not dwellinghouses, agricultural, glasshouses, plant nor machinery):		
Gross floor space to be created by the development No increase in gross floor space or no more than 40 sq m	£234	£293
Gross floor space to be created by the development More than 40 sq m but no more than 1000 sq m	£462	£578 for each 75sqm
Gross floor space to be created by the development More than 1000 sq m but no more than 3,750 sq m	£22,859 + £138 for each additional 75 sq m in excess of 3,750 sq m to a maximum of £300,000	£624 for each 75sqm
Gross floor space to be created by the development More than 3750 sqm		£30,860 + £186 per each 75sqm above 3750sqm subject to a maximum of £405,000
Erection of buildings (on land used for agriculture for agricultural purposes)		

Outline Applications	Current Charge	Changes from 06/12/23
Gross floor space to be created by the development Not more than 465 sq m	£96	£120
Gross floor space to be created by the development More than 465 sq m but not more than 540 sq m	£462	£578
Gross floor space to be created by the development More than 540 sqm but not more than 1000sqm		£578 + £578 for each 75sqm above 540sqm
Gross floor space to be created by the development More than 1000 sq m but not more than 4,215 sq m	£462 for first 540 sq m + £462 for each 75 sq m (or part thereof) in excess of 540 sq m	£624 + £624 for each 75sqm above 1000sqm
Gross floor space to be created by the development More than 4,215 sq m	£22,859 + £138 for each additional 75 sq m in excess of 4,215 sq m to a maximum of £300,000	£30,860 + £186 per each 75sqm above 4215sqm subject to a maximum of £405,000
Erection of glasshouses (on land used for the purpose of agriculture)		
Gross floor space to be created by the development Not more than 465 sq m	£96	£120
Gross floor space to be created by the development More than 465 sq m but less than 1000sqm	£2,580	£3,225
Gross floor space to be created by the development More than 1000sqm		£3,483
Erection/alterations/replacement of plant and machinery		
Site area Not more than 1 hectare		£578 for each 0.1 hectare (or part thereof)
Site area Not more than 5 hectares	£462 for each 0.1 hectare (or part thereof)	£624 for each 0.1 hectare (or part thereof)
Site area More than 5 hectares	£22,859 + additional £138 for each 0.1 hectare (or part thereof) in excess of 5 hectares to a maximum of £300,00	£30,860 + £186 per each 0.1 hectare above 5 hectares subject to a maximum of £405,000
Applications other than Building Works		
Car parks, service roads or other accesses For existing uses	£234	£293
Waste (Use of land for disposal of refuse or waste materials or deposit of material remaining after extraction or storage of minerals)		
Site area Not more than 15 hectares	£234 for each 0.1 hectare (or part thereof)	£316 for each 0.1 hectare (or part thereof)
Site area More than 15 hectares	£34,934 + £138 for each 0.1 hectare (or part thereof) in excess of 15	£47,161 + £186 for each 0.1 hectare (or part thereof) in excess of 15 hectares up to a

Outline Applications	Current Charge	Changes from 06/12/23
	hectares up to a maximum of £78,000	maximum of £105,300
Operations connected with exploratory drilling for oil or natural gas		
Site area Not more than 7.5 hectares	£508 for each 0.1 hectare (or part thereof)	£686 for each 0.1 hectare (or part thereof)
Site area More than 7.5 hectares	£38,070 + £151 for each 0.1 hectare (or part thereof) in excess of 7.5 hectares up to a maximum of £300,000	£51,395 + £204 for each 0.1 hectare in excess of 7.5 hectares up to a maximum of £405,000
Operations (other than exploratory drilling) for the winning and working of oil or natural gas		
Site area Not more than 15 hectares	£257 for each 0.1 hectare (or part thereof)	£347 for each 0.1 hectare (or part thereof)
Site area More than 15 hectares	£38,520 + £151 for each 0.1 hectare (or part thereof) in excess of 15 hectares up to a maximum of £78,000	£52,002 + £204 for each 0.1 hectare in excess of 15 hectares up to a maximum of £105,300
Other operations (winning and working of minerals) excluding oil and natural gas		
Site area Not more than 15 hectares	£234 for each 0.1 hectare (or part thereof)	£316 for each 0.1 hectare (or part thereof)
Site area More than 15 hectares	£34,934 + £138 for each 0.1 hectare (or part thereof) in excess of 15 hectares up to a maximum of £78,000	£47,161 + £186 for each 0.1 hectare (or part thereof) in excess of 15 hectares up to a maximum of £105,300
Other operations (not coming within any of the above categories)		
Site area Any site area	£234 for each 0.1 hectare (or part thereof) up to a maximum of £2,028	£293 for each 0.1 hectare (or part thereof) up to a maximum of £2,535
Lawful Development Certificate		
Existing use or operation	Same as Full	
Existing use or operation - lawful not to comply with any condition or limitation	£234	£293
Proposed use or operation	Half the normal planning fee	
Prior Approval		
Agricultural and Forestry buildings & operations or demolition of buildings	£96	£120

Outline Applications	Current Charge	Changes from 06/12/23
Communications (previously referred to as 'Telecommunications Code Systems Operators')	£462	£578
Proposed Change of Use to State Funded School or Registered Nursery	£96	£120
Proposed Change of Use to Agricultural Building to a State Funded School or Registered Nursery	£96	£120
Proposed Change of Use to Agricultural Building to a flexible use within Shops, Financial and Professional service, Restaurants and Cafes, Business, Storage or Distribution, Hotel, or Assembly or Leisure	£96	£120
Proposed Change of Use of a building from Office (Use Class B1) Use to a use falling within Use Class C3 (Dwellinghouse)	£96	£120
Proposed Change of Use to Agricultural Building to a Dwellinghouse (Use Class C3), where there are no Associated Building Operations	£96	£120
Proposed Change of Use to Agricultural Building to a Dwellinghouse (Use Class C3),and Associated Building Operations	£206	£258
Proposed Change of Use of a building from a Retail (Use Class A1 or A2) Use or a mixed Retail and Residential Use to a use falling within Use Class C3 (Dwelling house), where there are <u>no</u> Associated Building Operations	£96	£120
Proposed Change of Use of a building from a Retail (Use Class A1 or A2) Use or a mixed Retail and Residential Use to a use falling within Use Class C3 (Dwellinghouse), and Associated Building Operations	£206	£258
Prior Approval continued....		
Notification for Prior Approval for a Change of use from Storage or Distribution Buildings (Class B8) and any land within its curtilage to Dwellinghouses (Class C3)	£96	£120
Notification for Prior Approval for a Change of use from Amusement Arcades/Centres and Casinos, (Sui Generis Uses) and any land within its curtilage to Dwellinghouses (Class C3)	£96	£120
Notification for Prior Approval for a Change of use from Amusement Arcades/Centres and Casinos, (Sui Generis Uses) and any land within its curtilage to Dwellinghouses (Class C3), and Associated Building Operations	£206	£258
Notification for Prior Approval for a Change of use from Shops (Class A1), Financial and Professional Services (Class A2), Betting Offices, Pay Day Loan Shops and Casinos (Sui Generis Uses) to Restaurant and Cafes (Class A3)	£96	£120
Notification for Prior Approval for a Change of use from Shops (Class A1), Financial and Professional Services (Class A2), Betting Offices, Pay Day Loan Shops and Casinos (Sui Generis Uses) to Restaurant and Cafes (Class A3), and Associated Building Operations	£206	£258

Outline Applications	Current Charge	Changes from 06/12/23
Notification for Prior Approval for a Change of use from Shops (Class A1), Financial and Professional Services (Class A2), Betting Offices, Pay Day Loan Shops (Sui Generis Uses) to Assembly and Leisure Uses (Class D2)	£96	£120
Notification for Prior Approval for a Development Consisting of the Erection or Construction of a Collection Facility within the curtilage of a Shop	£96	£120
Notification for Prior Approval for the Temporary Use of Building or Land for the Purpose of Commercial Film-Making and the Associated Temporary Structures, Works, Plant or Machinery required in Connection with Use	£96	£120
Notification for Prior Approval for the Installation, Alteration or Replacement of other Solar Photovoltaics (PV) equipment on the Roofs of Non-domestic Buildings, up to a Capacity of 1 Megawatt	£96	£120
Reserved Matters		
Application for approval of reserved matters following outline approval	Full fee due or if full fee already paid then £462 due	£578 per dwelling up to 10 dwellings, £624 per dwelling for more than 10 but less than 50 dwellings, £30,860 + £186 for each dwelling in excess of 50 for 50+ dwellings, subject to a maximum of £405,000
Approval/Variation/discharge of condition		
Application for removal or variation of a condition following grant of planning permission	£234	£293
Request for confirmation that one or more planning conditions have been complied with	£34 per request for Householders otherwise £116 per request	£43 per request for Householders otherwise £145 per request
Change of Use of a building to use as one or more separate dwellinghouses, or other cases		
Number of dwellinghouses Less than 10		£578 for each
Number of dwellinghouses Not more than 50 dwellinghouses	£462 for each	£624 for each
Number of dwellinghouses More than 50 dwellinghouses	£22,859 + £138 for each in excess of 50 up to a maximum of £300,000	£30,860 + £186 for each dwelling in excess of 50, subject to a maximum of £405,000
Other Changes of Use of a building or land	£462	£578
Advertising		
Relating to the business on the premises	£132	£165

Outline Applications	Current Charge	Changes from 06/12/23
Advance signs which are not situate on or visible from the site, directing the public to a business	£132	£165
Other Advertisements	£462	£462
Application for a Non-material Amendment Following a Grant of Planning Permission		
Applications in respect of householder developments	£34	£43
Applications in respect of other developments	£234	£293
Application for Permission in Principle (valid from 1 June 2018)		
Site area	£402 for each 0.1 hectare (or part thereof)	£503 for each 0.1 hectare (or part thereof)