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Submitted to Fees for Planning Applications
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Respondent Details

About you

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Please indicate whether you are responding as an individual or on behalf of an organisation

Organisation

If you are responding on behalf of an organisation, please provide the name of the organisation in the box below

Name of organisation:

St Albans District Council

Position in organisation:

Development Manager

Please indicate in what capacity you are responding to this consultation (please only select one)

Local Planning Authority

National Default Fee Schedule

Question 1: Do you support the proposed National Default Fee Schedule, set at 90 per cent of full estimate cost?

Yes

Please explain your reasoning.:

The revision of the national fee to be set at 90% of estimated costs is to be welcomed as the planning fees received do not currently reflect the costs of running the service, including the delivery of the non-fee generating elements such as trees and Listed Buildings along with the delivery of the Enforcement Service.

Question 2: Are there any proposed fees in the National Default Fee Schedule that you consider to be unrepresentative of 90 per cent of estimated full cost levels for LPAs (either too low or too high)?

No

If yes, please specify which application categories and provide evidence to support your view, including what you believe the fee should be. :

Restructuring of existing fee categories and new application fees

Question 3: Do you support the proposed changes to the fee structures for outline, full and reserved matters applications for residential and non-residential development as set out in the proposed National Default Fee Schedule?

Yes

Please explain your reasoning.:

Given the above, the ability of SADC to set its own local fee to reflect the high costs of running the service in this area is welcomed.

Question 4: What further changes, if any, do you think should be made to the structure of fees for outline, full and reserved matters applications?

Please provide evidence where possible.:

Concerns are raised regarding the proposed use of fee banding, which is likely to create inequitable outcomes for applicants and does not accurately reflect the cost of determining individual applications.

1. Inequity of Banding Approach

A banded fee structure will inevitably result in "winners and losers", depending on where a development falls within a band.

Applicants at the lower end of a band may overpay relative to the scale or complexity of their proposal, while those at the upper end may underpay. This creates inconsistency and undermines the principle of fairness within the planning fee regime.

2. Misalignment with Cost Recovery Principles

The banding approach does not align closely with the actual resource requirements of determining applications.

It risks weakening the link between fees charged and services provided, particularly for schemes that vary significantly within a band.

3. Preference for Proportionate Fee Structures

Retaining the current approach of structured fees on a per unit or per area (e.g. floorspace) has many benefits.

- Better reflect the scale and likely complexity of development proposals
- Provide greater transparency and predictability for applicants
- Support a clearer relationship between cost and service provision

4. Conclusion and Recommendation

Fee banding should be reconsidered due to its inherent lack of precision and fairness.

A metrics-based fee structures (e.g. per unit or per sqm) provides a more equitable and robust basis for cost recovery, while improving clarity for applicants.

- how fees could better reflect varying site characteristics or levels of complexity

Not workable as an option and likely to make the fee regs even more involved and complex if another series of variable is introduced.

- whether the current approach to mixed use development fees should be simplified

No, they are fine in how they operate

- how fees should operate for large multi phase developments, including whether it remains appropriate to have maximum fee levels or caps for reserved matters applications

No comment

- whether an additional band or higher fee should apply to applications requiring EIA

EIA developments should have an additional charge to reflect the fact that they are significantly more complex and involved which is already acknowledged in the fact that they have a longer determination period.

The figure should be set at 5-10% of the fee.

Question 5: Do you support the proposed changes to the fee structures for applications for agricultural development as set out in the proposed National Default Fee Schedule?

Yes

Please explain your reasoning.:

Question 6: Do you support the proposal that PiP applications should attract a flat fee for two bands?

No

If no, what alternative approach would you suggest and why? Please provide evidence to support your view.:

Remove PiPs altogether. They are hardly ever used from our experience and just cause confusion and concern with local residents due to the lack of information and what can be considered.

Question 7: Do you agree with the proposed fee level for PiP applications for:

Yes

If no, what do you consider to be an appropriate fee? Please provide evidence to support your view.:

Yes

If no, what do you consider to be an appropriate fee? Please provide evidence to support your view.:

Question 8: Do you think the three-band fee structure currently used for section 73 applications remains appropriate?

Yes

If no, what changes would you propose and why? Please provide evidence to support your view.:

Question 9: Should section 73 and section 73B applications be charged using the same fee structure?

Yes

Please explain your reasoning.:

Question 10: Do you think the fee for discharging conditions should be charged per condition rather than per application?

Yes

If yes, what do you consider to be an appropriate fee per condition? Please provide evidence to support your view.:

As per the proposed fee changes for Discharge of Condition but for each condition.

Question 11: Should applications for the approval of biodiversity gain plans be subject to a separate fee to reflect the specific work involved?

Yes

If yes, what do you consider to be an appropriate fee level? Please provide evidence to support your view.:

Applications for approval of the Biodiversity Net Gain condition would benefit from a fee for the discharge of that specific condition, due to the technical expertise required to properly assess the information submitted.

Appropriate fee level - As per the proposed fee changes for Discharge of Conditions but for the BNG condition separately.

Question 12: Do you have an alternative suggestion on how the fee structure for discharge of conditions could be improved?

Do you have an alternative suggestion on how the fee structure for discharge of conditions could be improved?:

No

Question 13: Do you support the proposal to apply a flat fee of £310 for all other existing prior approval applications that are currently free of charge as well as the proposed prior approval under Class B of Part 15 (if brought forward)?

Yes

Please explain your reasoning.:

These do take time to deal with

Question 14: Do you agree with the proposed fee for CAAD applications of £964?

Yes

If no, what do you consider to be an appropriate fee? Please provide evidence to support your view.:

Question 15: Do you support the introduction of a new national default fee for section 106A applications?

Yes

If yes, what would represent an appropriate structure and fee(s)? Please provide evidence to support your view. If you do not support this proposal, please explain why. :

As they are similar in nature in terms of the level of officer resource needed to deal with these cases, it is suggested that you follow the proposed fees removal of conditions

Where the application relates to a householder application, £112.

Where the application relates to major development, £3,150.

In any other case, £825.

Question 16: Are there any other existing fee categories not mentioned above that you believe would benefit from restructuring?

No

If yes, please specify which categories and explain how you think they should be improved.:

Planning fee surcharge for statutory consultees

Question 17: Do you agree with our working proposal that the planning fee surcharge should be in the region of 10 per cent of the national default fee (subject to further policy development and consultation)?

Yes

Please explain your reasoning.:

Yes

In principle yes, but it raises significant issues of how and when it would be collected which would need careful consideration during policy development and consultation.

Local fee setting

Question 18: Do you have any comments on how local fee setting will operate? In particular, is there any additional information that you would wish to see covered through guidance?

Do you have any comments on how local fee setting will operate? In particular, is there any additional information that you would wish to see covered through guidance?:

No

Question 19: Do you think local fee variations should be capped? If so, what level would be appropriate - 15 per cent, 25 per cent of the national default fee, or another figure?

No

Please explain your reasoning.:

Support is expressed for the principle of locally justified fee variations, subject to appropriate evidence and approval by the Secretary of State. However, any form of capping such locally evidenced fees is strongly opposed.

1. Evidence-Based Local Fees

- The requirement for local fee variations to be robustly evidenced and agreed by the Secretary of State provides appropriate assurance.
- Where such evidence demonstrates the true cost of delivering the service for a specific application type, the resulting fee should be taken as the accurate reflection of that cost.

2. Impact of Capping Local Fees

- Imposing a cap on locally justified fees would prevent full cost recovery, even where:
 - o Costs have been clearly evidenced
 - o The variation has been subject to appropriate scrutiny and approval
- This would undermine the purpose of allowing local variation in the first place.

3. Risk of Public Subsidy

- If locally evidenced fees are capped below the actual cost of service provision, the shortfall must be met from elsewhere.
- In practice, this would result in the cost of development management services being subsidised by the public purse, rather than recovered from applicants.
- This outcome is inconsistent with the principle that the planning system should, as far as possible, operate on a cost recovery basis.

4. Conclusion and Recommendation

- Where a local fee variation has been properly evidenced and approved, it should be permitted to reflect the full cost of service delivery without cap or restriction.
- Any artificial limitation risks undermining both the financial sustainability of LPAs and the integrity of the cost-recovery framework.

Planning performance agreements and discretionary charging

Question 20: In the context of localised planning fees, what are your views on the future role of PPAs, pre-application advice and other discretionary charging regimes?

Please provide any suggestions, experiences or evidence to support your view.:

Significant concern is raised regarding the proposed approach to planning application fees and the removal or restriction of discretionary charging. The proposals, as currently framed, risk undermining the financial sustainability, service quality, and delivery capacity of Local Planning Authorities (LPAs).

1. Insufficiency of Proposed Fee Uplift

- The proposed increase in planning fees is acknowledged as covering only circa 90% of the actual costs of determining applications.
- This calculation appears to reflect only the core statutory development management function, excluding wider service pressures and overheads.
- As such, even with the uplift, LPAs will continue to operate with a structural funding shortfall in delivering statutory duties.

2. Impact of Removing Discretionary Charging

- The proposal to remove or restrict discretionary fees (including pre-application advice and Planning Performance Agreements (PPAs)) is strongly opposed.
- These services are:
 - o Resource-intensive, requiring dedicated officer time and specialist input
 - o Widely valued by applicants, who seek certainty, efficiency, and improved scheme quality
- Removing this income stream while fees remain below full cost recovery effectively results in cross-subsidisation pressures—i.e. reallocating insufficient statutory income to cover discretionary activity (“robbing Peter to pay Paul”).

3. Consequences for Service Provision

- As discretionary services are non-mandatory, LPAs facing funding constraints are likely to:
 - o Reduce or withdraw such services entirely
 - o Limit availability or quality of pre-application engagement
- This outcome is rational in a context where core statutory costs are not fully funded, and authorities must prioritise legal obligations.

4. Impacts on Development Outcomes

- A reduction in discretionary services will:
 - o Slow decision-making by reducing early engagement and issue resolution
 - o Diminish scheme quality, due to loss of structured pre-application input
 - o Undermine delivery of complex and strategic sites, which rely heavily on PPA frameworks and proactive engagement
 - Authorities that have invested significantly in high-performing, exemplar discretionary services will be disproportionately affected by the loss of income.
5. Conflict with National Objectives
- The proposals are inconsistent with the Government's objective of accelerating housing delivery, including the ambition to deliver 1.5 million homes.
 - Reducing the availability and effectiveness of discretionary services will directly impact speed, certainty, and quality, all of which are critical to delivery.
6. Overall Conclusion
- The overarching aim of fee reform should be to ensure LPAs are properly resourced to deliver both statutory and enhanced services.
 - Increasing application fees to below full cost recovery, while simultaneously removing or constraining a key income stream that supports service enhancement, is counterintuitive and lacks a coherent financial or operational rationale.
 - The proposals, if implemented, risk reducing service performance and development outcomes, rather than improving them.

Public Sector Equality Duty

Question 21: Do you have any views on how the proposals in this consultation might affect you, the group or business you represent, or others – particularly those with protected characteristics? If so, please explain who might be affected and how. Is there anything that could be done to mitigate any impact identified?

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No