

BOLSOVER DISTRICT COUNCIL

MEETING OF THE PLANNING COMMITTEE ON 16TH APRIL 2025

CONSULTATION ON THE PROPOSED IMPLEMENTATION OF A PRE-APPLICATION (PLANNING) ADVICE CHARGING SCHEDULE / SERVICE

REPORT OF THE ASSISTANT DIRECTOR: PLANNING & PLANNING POLICY

Classification	This report is Public
Contact Officer	Sarah Kay Assistant Director of Planning & Planning Policy

PURPOSE/SUMMARY OF REPORT

To seek approval from Planning Committee to prepare a final draft and undertake a 4 week public consultation exercise on the proposed introduction of a Pre-Application (Planning) Charging Schedule / Service.

The outcome of the consultation exercise is to be reported back to Planning Committee, alongside the associated Equality Impact Assessment, and final adoption draft of the document to enable Planning Committee to make a final recommendation to Council whether to introduce a charging schedule for pre-application (planning) advice.

REPORT DETAILS

1. Background

- 1.1 The development industry widely accept that a charge to access to pre-application (planning) advice is necessary, and many rely on access to professional officer advice to inform and support their planning application submissions. Currently all users of this service at Bolsover access it for free.
- 1.2 The National Planning Policy Framework (NPPF) and Planning Practice Guidance (PPG) actively encourage pre-application (planning) engagement.

Pre-application engagement by prospective applicants offers significant potential to improve both the efficiency and effectiveness of the planning application system and improve the quality of planning applications and their likelihood of success. This can be achieved by:

- *providing an understanding of the relevant planning policies and other material considerations associated with a proposed development*
- *working collaboratively and openly with interested parties at an early stage to identify, understand and seek to resolve issues associated with a proposed*

development, including, where relevant, the need to deliver improvements in infrastructure and affordable housing

- *discussing the possible mitigation of the impact of a proposed development, including any planning conditions*
- *identifying the information required to accompany a formal planning application, thus reducing the likelihood of delays at the validation stage. The information requested must be reasonable (more information can be found in [Making an application](#)).*
- *putting in place a Planning Performance Agreement where this would help with managing the process and agreeing any dedicated resources for progressing the application*

The approach to pre-application engagement needs to be tailored to the nature of the proposed development and the issues to be addressed.

PPG - Paragraph: 001 Reference ID: 20-001-20190315

<https://www.gov.uk/guidance/before-submitting-an-application>

- 1.3 The provision of pre-application (planning) advice contributes to officer workload across the Planning Service, which is under pressure from rising costs associated with the administration of the whole Planning Service (inc. planning application publication, consultation, officer time, and access to professional expertise such as ecology, urban design, and conservation).
- 1.4 Section 93 of the Local Government Act 2003 gives authorities the power to charge for discretionary services, including the provision of pre-application (planning) advice, subject to the income from the charge levied not exceeding the cost of the service provision.

2. Details of Proposal or Information

- 2.1 Based on current market conditions and market insight it is proposed that a discretionary charge is introduced by Bolsover District Council for the provision of their pre-application (planning) advice service.
- 2.2 Based on the information presented in table 1 below, Bolsover are now the only local planning authority in Derbyshire who do not have an approved charging schedule for the provision of pre-application (planning) advice.

Table 1: Derbyshire Authorities currently charging for pre-application (planning) advice

Local Planning Authority	Do they charge for pre-application (planning) advice?
Amber Valley Borough Council	*Unavailable
Bolsover District Council	No
Chesterfield Borough Council	Yes
Derby City Council	Yes
Derbyshire Dales District Council	Yes
Erewash Borough Council	Yes
High Peak Borough Council	Yes
North East Derbyshire District Council	Yes
Derbyshire County Council	Yes

** AVBC has currently paused offering any pre-application (planning) advice due to resourcing pressures, and therefore their previously approved pre-application service is currently unavailable.*

- 2.3 In addition a national pre-application (planning) advice service has recently been launched by the Planning Portal, who provide the national planning application submission portal frequently utilised by applicants / agents.

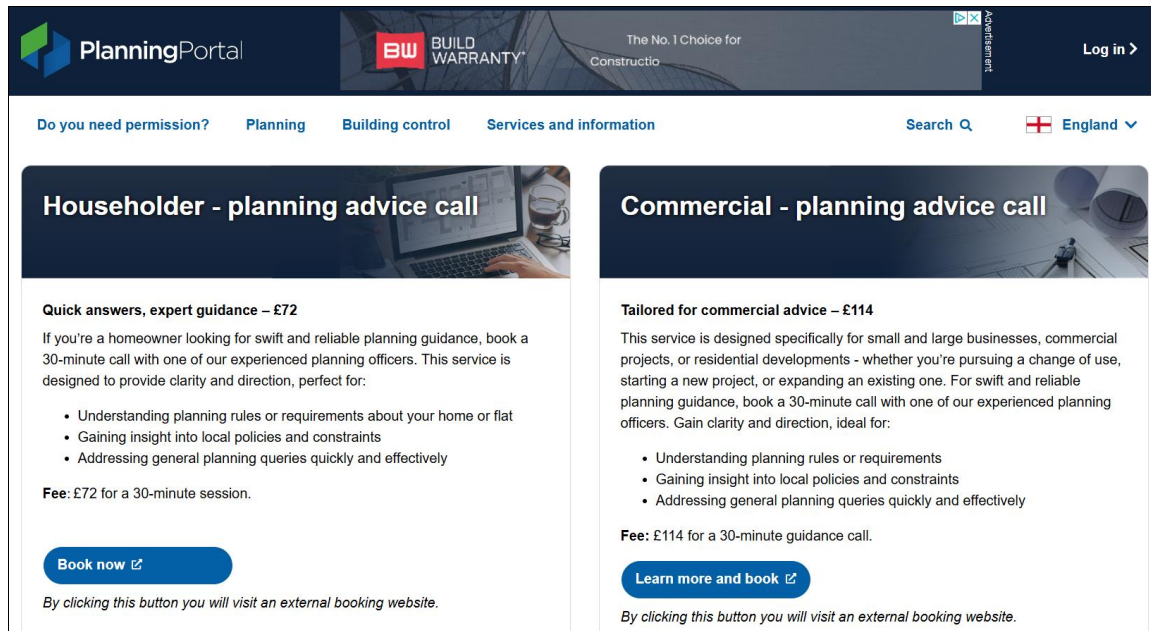


Fig 1: Website extract from Planning Portal – Planning Advice

<https://www.planningportal.co.uk/permission/planning-guidance-service>

- 2.4 The ability for an applicant / agent to ascertain pre-application (planning) advice is a valuable service, which can assist the applicant / agent making an informed decision whether to progress with a planning application submission. It can also give the applicant / agent an indication of the suitability of their development proposal, potentially avoiding the likelihood of planning permission being refused or amendments to their development proposal being necessary during their application process. Access to pre-application (planning) advice can help to speed up the planning process.
- 2.5 Notwithstanding the above, the pre-application (planning) enquiry service at Bolsover is currently provided free of charge and it is frequently utilised. A number of these enquiries relates to basic queries about site constraints (trees / conservation areas), the provision of dropped kerbs, and creation of vehicle access / hardstanding's, all of which can be easily answered through the provision of self service information some of which is already readily available on the Council and Derbyshire County Council's websites.
- 2.6 Table 2 below demonstrates the last 5 years of pre-application (planning) enquiries the Planning Service has registered and provided a written response to.

Table 2: Pre-Application (Planning) enquiries 2020-2024

	No. of Pre-App's Registered	<i>Dropped Kerb Enquiries</i>	<i>Vehicular Access/ Hardstanding Enquiries</i>	<i>TPO/ Cons Area Check (trees)</i>	<i>Total (Basic Enquiries)</i>	Total (Less Basic Enquiries)
2020	832	39	69	36	144	688
2021	980	48	112	38	198	782
2022	795	36	72	44	152	643
2023	832	33	66	47	146	686
2024	909	33	73	24	130	779

2.7 The provision of a written response to an average of 700 enquiries per year is currently a cost absorbed by the Planning Service. These responses vary in complexity and so are provided by Planners or Planning Technicians depending on the nature of the enquiry. All enquiries generate an associated administrative cost, alongside Officer time taken to review, consider, and respond to the enquiry.

2.8 Table 3 below includes a breakdown of the pre-application (planning) enquiries responded to in the last 5 years, based on the Officer role the enquiry was allocated to. The nature / complexity of the enquiry subject will likely increase based on Officer grade.

Table 3: Pre-Application (Planning) enquiries 2020-2024 by Officer role

		Hourly Rate (24/25)	2020	2021	2022	2023	2024
Technician	Grade 5	£20.33	220	283	274	142	137
Trainee Planner	Grade 4 or 6	£18.20/ £22.68	12	45	87	133	69
Planner	Grade 7	£25.15	209	293	167	278	211
Senior Planner	Grade 8	£29.33	0	0	0	0	203
Principal Planner	Grade 9	£33.28	57	81	82	89	130
			498	702	610	642	750

2.9 The figure total in table 2 and 3 show that there are still some abnormal enquiries unaccounted for, which explain the difference between the total (less basic enquiries) in table 2, versus the totals per year in table 3. These anomalies are likely to be bespoke service requests not falling into an ordinary development category, which were still recorded. In 2020 and early 2021 enquiries numbers were also elevated due to the pandemic, and more enquiries being registered on the system to manage 'remote' workstreams.

2.10 In consultation with the Development Management team (who handle the majority of pre-application (planning) enquiries), the following categories of enquiry subject have been drawn up that reflect the most common pre-application enquiry types. These also reflect the categories of the enquiry types for which charges are levied for across other Derbyshire authorities (which are set out for comparative purposes in appendix 1).

1. Do I need Planning Permission?
2. Householder / Domestic Extension.
3. Works to a Listed Building (Householder)
4. Works to a Listed Building (Other)
5. Advertisement
6. Change of Use (not residential)
7. Dwellings 1-4
8. Dwellings 5-9
9. Dwellings 10-19
10. Dwellings 20-49
11. Dwellings 50-149
12. Dwellings 150+
13. Buildings / Other 0-499sqm
14. Buildings / Other 500-999sqm
15. Buildings / Other 1000sqm+
16. Enquiries re: S96a (a) minor / b) major)
17. Enquiries re: S73 / S106A (a) minor / b) major)

- 2.11 Based on a calculation of cost recovery, table 4 sets out the estimated Officer / Administration cost for each of these types of enquiries. It then calculates an appropriate charge on that basis (inc. mileage costs for site visits where applicable).

Table 4: Cost recovery calculation based on enquiry type and Officer role

	Administration Time (Hrs)	Administration Cost at Grade 5 (£20.33)	Officer Time (Hrs)	Officer Grade	Commensurate Grade	Cost at Commensurate Grade	Mileage Expenses (17mile at £0.6) average)	Total Cost	Rounded to nearest £1
1. Do I need Planning Permission?	0.5	£10.17	0.5	4 or 5	£19.27	£9.63	£0.00	£19.80	£20
2. Householder / Domestic Extension.	0.5	£10.17	2	4 or 5	£19.27	£38.53	£0.00	£48.70	£49
3. Works to a Listed Building (Householder)	0.5	£10.17	2	7, 8, or 9	£29.25	£58.51	£0.00	£68.67	£69
4. Works to a Listed Building (Other)	0.5	£10.17	2	7, 8, or 9	£29.25	£58.51	£0.00	£68.67	£69
5. Advertisement	0.5	£10.17	1	4, 5 or 6	£20.40	£20.40	£0.00	£30.57	£31
6. Change of Use (not residential)	0.5	£10.17	3	6, 7 or 8	£25.72	£77.16	£10.20	£97.53	£98
7. Dwellings 1-4	0.5	£10.17	3	7, 8, or 9	£29.25	£87.76	£10.20	£108.13	£108
8. Dwellings 5-9	0.5	£10.17	3.5	7, 8, or 9	£29.25	£102.39	£10.20	£122.75	£123
9. Dwellings 10-19	2	£40.66	7	7, 8, or 9	£29.25	£204.77	£10.20	£255.63	£256
10. Dwellings 20-49	2	£40.66	14	8 or 9	£31.31	£438.27	£10.20	£489.13	£489
11. Dwellings 50-149	2	£40.66	21	9 or 10	£34.53	£725.13	£10.20	£775.99	£776
12. Dwellings 150+	2	£40.66	28	9 or 10	£34.53	£966.84	£10.20	£1,017.70	£1,018
13. Buildings / Other 0-499sqm	0.5	£10.17	3	7, 8, or 9	£29.25	£87.76	£10.20	£108.13	£108
14. Buildings / Other 500-999sqm	0.5	£10.17	4	7, 8, or 9	£29.25	£117.01	£10.20	£137.38	£137
15. Buildings / Other 1000sqm+	2	£40.66	7	9 or 10	£34.53	£241.71	£10.20	£292.57	£293
16. Enquiries re: S96a (minor)	0.5	£10.17	1	6 or 7	£23.92	£23.92	£0.00	£34.08	£34
16. Enquiries re: S96a (major)	0.5	£10.17	1	8 or 9	£31.31	£31.31	£0.00	£41.47	£41
17. Enquiries re: S73 / S106A (minor)	0.5	£10.17	3	6 or 7	£23.92	£71.75	£0.00	£81.91	£82
17. Enquiries re: S73 / S106A (major)	0.5	£10.17	3	8 or 9	£31.31	£93.92	£0.00	£104.08	£104

- 2.12 It is therefore proposed that the figures contained in table 4 are those which will form the draft 2025/26 pre-application (planning) charging schedule (see appendix 2). On the basis of the figures presented it is estimated that the introduction of a pre-application (planning) charging schedule will potentially generate an income between £20,000-£30,000 per annum. That income will be re-invested in the Planning Service to continue to support the availability of Officers to provide pre-application (planning) advice.

- 2.13 As a discretionary service it is also proposed that the schedule of charges levied for the provision of pre-application (planning) advice are concessioned for the following service users / enquiry types (who would ordinarily benefit from a similar concession being applied to a payable planning application fee).

1. *An application solely for the alteration or extension of an existing dwellinghouse; or works in the curtilage of an existing dwellinghouse (other than the erection of a dwellinghouse) for the purpose of providing:*
 - a. *Means of access to or within it for a disabled person who is resident in it, or is proposing to take up residence in it; or*
 - b. *Facilities designed to secure that person's greater safety, health or comfort.*
2. *An application solely for the carrying out of the operations for the purpose of providing a means of access for disabled persons to or within a building or premises to which members of the public are admitted.*
3. *If the application is being made on behalf of a parish or community council then the fee is 50%.*

Public Consultation

- 2.14 Following the preparation of a draft 2025/26 pre-application (planning) charging schedule (see appendix 1) it will be necessary to conduct a period of public consultation. There are no specific regulations relating to consultation in respect of the adoption of a charge for a discretionary service.
- 2.15 To empower the local community and developers in the form of applicants / agents it is important that they are given a meaningful opportunity to have their say on any new working practices. In this respect, the public consultation recommendations have regard to the Council's Statement of Community Involvement (December 2022).
- 2.16 It is recommended that a 4 week public consultation exercise is undertaken as per the schedule set out below, with targeted emails to agents operating in the area and those registered on our online local plan database. The consultation will also be promoted on the Council's website, with an associated press release on the Council's social media platforms.

Consultation Period (4 Weeks)	Tues 22 nd April 2025 – Wed 21 May 2025	
Host Stakeholder Consultation Events	Agents (1)	Members (2)
	Wed 30 th April 2025 The Arc – CR1 / Teams (2pm-5pm)	Wed 7 th May 2025 The Arc – CR1 / Teams (2pm-5pm)
Report consultation back to Planning Committee	Wed 11 th June 2025 – 10am	

- 2.17 The outcome of the consultation exercise will be reported back to Planning Committee, with any necessary updates to the draft 2025/26 pre-application (planning) charging schedule. This will enable Planning Committee to make a recommendation to Full Council on Wednesday 30th July 2025 whether to support and adopt the charging schedule. Implementation of the service would be targeted for the 1st September 2025.

3. Reasons for Recommendation

- 3.1 Member support for the preparation of a draft pre-application (planning) charging schedule / service is needed in advance of committing resources to the preparation and undertaking of a 4 week public consultation exercise.

4 Alternative Options and Reasons for Rejection

- 4.1 An alternative option for the Planning Committee / Council would be to not progress the introduction of charges for access to pre-application (planning) advice, and continue to offer the service free of charge at a continued cost to the Council. This could disadvantage the Council as it continues to subsidise the service, without recovering the service cost provision.

RECOMMENDATION(S)

1. To approve the preparation of a final draft charging schedule and undertake a 4 week public consultation exercise on the proposed introduction of a Pre-Application (Planning) Charging Schedule / Service.
2. Give delegated authority to the Assistant Director of Planning & Planning Policy, in consultation with the Chair / Vice Chair of Planning Committee to finalise the text of the draft consultation documents prior to commencing the programme public consultation exercise.
3. To receive a further outcome report of the public consultation exercise in due course, to enable Planning Committee to make a final recommendation to Council on the introduction of a Pre-Application (Planning) Charging Schedule / Service.

Approved by Councillor Tom Munro, Portfolio Holder for Growth

IMPLICATIONS:

<u>Finance and Risk</u>		
Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	
Details: The provision of a structured discretionary service will ensure that the demands placed upon the Planning Service by service users can be adequately resourced, and the costs of providing the service are recovered through individual service users rather than by the Council as a whole.		
On behalf of the Section 151 Officer		
<u>Legal (including Data Protection)</u>		
Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	
Details: There are no specific legal implications arising from this report, however the Planning Service will need to have regard to service standards / customer expectations when receiving payment for a discretionary service. The draft Pre-Application (Planning) Charging Schedule / Service will set out targeted response times for specific enquiries. Service users will also be made		

aware that any planning advice accessed through this service will be offered on a without prejudice basis.

On behalf of the Solicitor to the Council

Staffing Yes ☒ No ☐

Details: There are no specific staffing matters arising from this report. The current provision of the discretionary service free of charge is absorbed by existing staff within the Planning Service and there are no staffing changes proposed as a result of these recommendations. Additional income generated from the proposed charging Schedule may allow for additional resource to be appointed in the future to meet arising demands.

On behalf of the Head of Paid Service

Equality and Diversity Impact and Consultation Yes ☒ No ☐

Details: The public consultation and draft Schedule will be subject to and associated Equality Impact Assessment.

On behalf of the Information, Engagement and Performance Manager

Environment Yes ☐ No ☒

Please identify (if applicable) how this proposal/report will help the Authority meet its carbon neutral target or enhance the environment.

Details: There are no environmental implications.

DECISION INFORMATION:

<p><input checked="" type="checkbox"/> Please indicate which threshold applies:</p> <p>Is the decision a Key Decision? A Key Decision is an Executive decision which has a significant impact on two or more wards in the District or which results in income or expenditure to the Council above the following thresholds:</p> <p>Revenue (a) Results in the Council making Revenue Savings of £75,000 or more or (b) Results in the Council incurring Revenue Expenditure of £75,000 or more.</p> <p>Capital (a) Results in the Council making Capital Income of £150,000 or more or (b) Results in the Council incurring Capital Expenditure of £150,000 or more.</p> <p>District Wards Significantly Affected: <i>(to be significant in terms of its effects on communities living or working in an area comprising two or more wards in the District)</i></p> <p>Is the decision subject to Call-In? <i>(Only Key Decisions are subject to Call-In)</i></p> <p>If No, is the call-in period to be waived in respect of the decision(s) proposed within this report? <i>(decisions may only be classified as exempt from call-in with the agreement of the Monitoring Officer)</i></p> <p>Consultation carried out: <i>(this is any consultation carried out prior to the report being presented for approval)</i></p> <p>Leader <input checked="" type="checkbox"/> Deputy Leader <input checked="" type="checkbox"/> Executive <input type="checkbox"/> SLT <input checked="" type="checkbox"/> Relevant Service Manager <input type="checkbox"/> Members <input type="checkbox"/> Public <input type="checkbox"/> Other <input type="checkbox"/></p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>(a) <input type="checkbox"/> (b) <input checked="" type="checkbox"/></p> <p>(a) <input type="checkbox"/> (b) <input checked="" type="checkbox"/></p> <p>All <input checked="" type="checkbox"/></p> <p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p>
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Links to Council Ambition: Customers, Economy, Environment, Housing

Customers, Economy, Environment, and Housing:

The provision of a structured and resourced discretionary service which is reactionary to arising demands of the service user whilst supporting our economy, environment, and housing.

DOCUMENT INFORMATION:

Appendix No	Title
1	Other Derbyshire Local Planning Authorities Pre-Application Charges
2	Proposed Draft 2025/26 Schedule of Charges for Bolsover District Council's Pre-Application (Planning) Service

Background Papers
N/A

Appendix 1 - Other Derbyshire Local Planning Authorities Pre-Application Charges

	Chesterfield	Chesterfield (inc. SV)	Derby City	Derbyshire Dales	Derbyshire Dales (inc. SV)	Erewash	High Peak	North East Derbyshire	South Derbyshire
Do I need Planning Permission?	-	-	-	£33.00	N/A	-	-	£0.00	£75.00
Householder	£58.76	-	£100.00	£65.00	£131.00	£120.00	-	£60.00	£100.00
Works to Listed Building (Householder)	£137.50	£181.57	£600.00	£65.00	£196.00	-	-	£160.00	£145.00
Works to Listed Building (Commercial)	£137.50	£184.57	£600.00	£131.00	£261.00	-	-	£100.00	£220.00
Advertisement	£58.76	-	£100.00	£65.00	N/A	-	-	£150.00	£116.00
Change of use (not inc. dwelling, major, eng works)	£58.76	-	£250.00	£131.00	N/A	-	-	£300.00	£200.00
All other uses/ buildings (0-499 sqm)	-	-	£1,560.00	£131.00	£196.00	-	£302.00	£350.00	-
All other uses/ buildings (500-999sqm / 1 dwellings/ outline <0.5ha)	£334.88	£378.94	£1,560.00	£196.00	£457.00	£240.00	£302.00	£350.00	£385.00
All other uses/ buildings (500-999sqm / 2-3 dwellings/ outline <0.5ha)	£334.88	£378.94	£1,560.00	£196.00	£457.00	£480.00	£302.00	£350.00	£385.00
All other uses/ buildings (1000-9999sqm / 4-9 dwellings/ outline <0.5ha)	£334.88	£378.94	£1,560.00	£392.00	£653.00	£1,200.00	£302.00	£1,000.00	£695.00
10-19 dwellings/ outline 0.5-1.99ha	£706.22	£794.35	£3,000.00	£653.00	£979.00	£1,200.00	£450.00	£1,000.00	£2,496.00
20-50 dwellings/ outline 0.5-1.99ha	£706.22	£794.35	£3,000.00	£653.00	£979.00	£3,000.00	£450.00	£1,000.00	£2,496.00
51-99 dwellings	£706.22	£794.35	£3,000.00	£653.00	£979.00	£3,000.00	£600.00	£1,500.00	£8,740.00
100-149 dwellings/ outline 2-3.99ha	£706.22	£794.35	£3,000.00	£848.00	£1,145.00	£3,000.00	£600.00	£1,500.00	£14,976.00
150-199 dwellings/ outline 2-3.99ha	£706.22	£794.35	£3,000.00	£848.00	£1,145.00	£3,000.00	£600.00	£3,915.00	£14,976.00
All other 200+ dwellings/ >1000sqm / >4ha	£947.00	£1,123.26	£3,600.00	£979.00	£1,305.00	£3,000.00	£600.00	£3,915.00	£24,960.00
Enquiries re: discharge of conditions (householder)	-	-	-	£26.00	N/A	-	-	-	-
Enquiries re: discharge of conditions (commercial)	-	-	-	£65.00	£98.00	-	-	-	-
Enquiries re: S96a/ S73/ S106A	-	-	-	£65.00	N/A	-	-	-	£90.00

Appendix 2 - Proposed Draft 2025/26 Schedule of Charges for Bolsover District Council's Pre-Application (Planning) Service

		Proposed Charge (£)	Target Response Time
1.	Do I need Planning Permission?	£20	10 working days
2.	Householder / Domestic Extension.	£49	10 working days
3.	Works to a Listed Building (Householder)	£69	20 working days
4.	Works to a Listed Building (Other)	£69	20 working days
5.	Advertisement	£31	10 working days
6.	Change of Use (not residential)	£98	20 working days
7.	Dwellings 1-4	£108	20 working days
8.	Dwellings 5-9	£123	20 working days
9.	Dwellings 10-19	£256	20 working days
10.	Dwellings 20-49	£489	20 working days
11.	Dwellings 50-149	£776	20 working days
12.	Dwellings 150+	£1018	20 working days
13.	Buildings / Other 0-499sqm	£108	20 working days
14.	Buildings / Other 500-999sqm	£137	20 working days
15.	Buildings / Other 1000sqm+	£293	20 working days
16.	Enquiries re: S96a (a) minor	£34	10 working days
16.a	Enquiries re: S96a (b) major	£41	20 working days
17.	Enquiries re: S73 / S106A (a) minor	£82	10 working days
17.a.	Enquiries re: S73 / S106A (a) major	£104	20 working days