

## **PLANNING PERFORMANCE AND FEES CONSULTATION– WEST DUNBARTONSHIRE COUNCIL RESPONSE**

<b>SECTION</b>	<b>CONSULTATION QUESTIONS</b>	<b>COUNCIL RESPONSE</b>
<b>PLANNING PERFORMANCE</b>		
Purpose of Planning	Should we set out a vision for the Planning Service in Scotland?	Yes
	Do you agree with the vision proposed in this consultation paper?	No – see comments below
	Do you have any comments about the proposed vision?	<ul style="list-style-type: none"> <li>The proposed vision reads like a service delivery statement; where is the aspirational element of planning? It should have the “wow “factor and should be more outcome based focusing on how planning can make a better future Scotland.</li> </ul>
Preparation and Content of reports	Is the proposed approach to the content correct?	Yes
	Do you have any comments on the proposed content of Planning Performance Reports?	No
	Do you have any comments or suggestions as to how reports should be prepared?	No
	What statistical information would be useful/valuable to include and monitor?	<ul style="list-style-type: none"> <li>The Council are content with the level of statistical information already required as part of the PPF as this is uniform across the 34 Planning Authorities and easily obtainable, measurable and can be readily monitored. However, it should also include resourcing and how this should be overcome.</li> </ul>
	What are the key indicators which you think the performance of the system and authorities should be measured against?	<ul style="list-style-type: none"> <li>The value of quantity and qualitative indicators should be assessed and evaluated. Performance should be measured on outcomes of what the planning system delivers i.e. quality housing, quality places, environment etc. rather than be focused purely on how long it takes to process an application; or how old your development plan is.</li> </ul>
	Do you have any other comments to make with regards to how the Performance of the Planning System and Authorities is measured and reported?	<ul style="list-style-type: none"> <li>Consideration should be given to when PPFs are submitted to ensure that when the feedback is received it is timely and meaningful. Presently, PPF is submitted end of July and feedback is not received until December and by the time it is reported to Committee it is out of date in respect of that reporting year;</li> <li>Also, consideration should be given to whether the PPF</li> </ul>

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		<p>should be submitted annually or consideration to a full PPF one year and then a shorter version the second year. The preparation of PPF is very resource intensive.</p>
	<p>Do you have any suggestions about how we could measure the outcomes from planning such as: Placemaking; Sustainable Development and Quality of decisions?</p>	<ul style="list-style-type: none"> <li>• These outcomes should be measured qualitatively through case studies, customer reviews, and testimonies from those involved;</li> <li>• Should a quantities tool be required then there should be general themes that are considered for each area which are considered to contribute, for example, to good placemaking and then the Authorities can fill those in.</li> </ul>
	<p>Do you have any suggestions about how planning's contribution to the National Outcomes contained in the National Performance Framework should be measured and presented?</p>	<ul style="list-style-type: none"> <li>• To make it more relevant sub-criteria should be developed nationally, which relate to planning within each of the national themes, in order to make it more meaningful and measurable.</li> </ul>
<p>National Planning Improvement Co-ordinator</p>	<p>Do you have any comments/suggestions about the role and responsibilities of the National Planning Improvement Co-ordinator?</p>	<ul style="list-style-type: none"> <li>• The Council considers that the scope of the role outlined in the consultation paper is the correct vision for the co-ordinator role and we look forward to working with the co-ordinator as they develop their role;</li> <li>• The Co-ordinator should take the PPF forward and enhance good practice;</li> <li>• The role of the co-ordinator should be one of support and, where it relates to monitoring the performance of local authorities, should not switch to one of punishing authorities that may have slipped behind performance standards, but to help to address and improve where that happens;</li> <li>• The post should be independent with clear parameters for the role. It should sit separately from Government and should be properly resourced.</li> </ul>

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<b>PLANNING FEES</b>		
Category 1 – Residential Development	Do you agree with the proposed planning fees?	<ul style="list-style-type: none"> <li>Yes, we agree that an increase in fees for this type of development is required and should be inflation based. The Council supports the move to full cost recovery through an increase in the planning fees.</li> </ul>
	Is the proposed method for calculating the planning fee correct?	No
	Do you have any comments on the proposed fees and for calculating the planning fee?	<ul style="list-style-type: none"> <li>Appears that smaller developments are being penalised in comparison to larger developments;</li> <li>The proposed cap for larger developments is too low given the complexity of sites that could command fees above £150,000;</li> <li>If the cap for larger developments is increased then this would justify the increase for smaller developments which would be more proportionate ;</li> <li>Fees should be subject to the rate of inflation on an annual basis.</li> </ul>
Categories 2, 3, 4 and 5 – Extensions and Alterations to Existing Dwellings	Do you agree with the proposed planning fees?	<ul style="list-style-type: none"> <li>Yes, we agree that an increase in fees for this type of development is required and should be inflation based. The Council supports the move to full cost recovery through an increase in the planning fees.</li> </ul>
	Is the proposed method for calculating the planning fee correct?	No
	Do you have any comments on the proposed fees and for calculating the planning fee?	<ul style="list-style-type: none"> <li>We do not agree that these types of development should be split into 2 categories (Extensions and Alterations) and the higher fee for the higher of these should apply for all of these developments;</li> <li>There should be no cap on the amount of dwellings;</li> <li>The statement infers that applications involving alterations are easier applications and whilst in some cases this may be true, these applications still demand support staff input (validation, neighbour notification, consultation etc) and a site visit from a planning officer and can be time consuming for planning officers given the issues involved;</li> </ul>

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		<ul style="list-style-type: none"> <li>• Whilst the planning officer assessment may be simple, the statutory process is no different and the fee should cover this;</li> <li>• The proposed categorisation will add further complexity to planning fees;</li> <li>• If these categories are to go ahead then their definition must be completely clear, specific and consistent especially if they are to be subject to a sliding scale of fees;</li> <li>• Fees should be subject to the rate of inflation on an annual basis</li> </ul>
Category 6 – Retail and Leisure including extensions	Do you agree with the proposed planning fees?	<ul style="list-style-type: none"> <li>• Yes, we agree that an increase in fees for this type of development is required and should be inflation based. The Council supports the move to full cost recovery through an increase in the planning fees.</li> </ul>
	Is the proposed method for calculating the planning fee correct?	No
	Do you have any comments on the proposed fees and for calculating the planning fee?	<ul style="list-style-type: none"> <li>• The proposed cap for larger developments is too low given the complexity of sites that could command fees above £150,000</li> </ul>
Category 7 – Business and Commercial including extensions	Do you agree with the proposed planning fees?	<ul style="list-style-type: none"> <li>• Yes, we agree that an increase in fees for this type of development is required and should be inflation based. The Council supports the move to full cost recovery through an increase in the planning fees.</li> </ul>
	Is the proposed method for calculating the planning fee correct?	No
	Do you have any comments on the proposed fees and for calculating the planning fee?	<ul style="list-style-type: none"> <li>• The Council agrees to support the expansion of small and medium businesses. However, we do not agree that a reduction in planning fee costs for these type of businesses is justified and these type of businesses could be supported by other mechanisms such as small business grants, etc;</li> <li>• The cost to the Planning Authority remains with validation, neighbour notification, consultation and assessment therefore the level of work being undertaken</li> </ul>

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		<p>by the Planning Authority remains the same;</p> <ul style="list-style-type: none"> <li>• There are other areas of support within the Planning Authority that can support business growth and small enterprises through pre-app advice, prioritising applications and signposting to other areas of existing support within the Local Authority, and externally;</li> <li>• The proposed cap for larger developments is too low given the complexity of sites that could command fees above £150,000.</li> </ul>
Category 8 - Agricultural Buildings	Do you agree with the proposed planning fees?	No
	Is the proposed method for calculating the planning fee correct?	No
	Do you have any comments on the proposed fees and for calculating the planning fee?	<ul style="list-style-type: none"> <li>• The Council does not agree with any reduction in the fee, as there is no reduction in the work required as detailed above;</li> <li>• The basis for calculating the fee above the permitted development level is generally accepted. However, there is an anomaly in the current fee regulations which should be addressed especially around a Determination of Prior Approval (DPA) application and the fee for a retrospective planning application.</li> </ul>
Category 9 – Glasshouses	Do you agree with the proposed planning fees?	No
	Is the proposed method for calculating the planning fee correct?	No
	Do you have any comments on the proposed fees and for calculating the planning fee?	<ul style="list-style-type: none"> <li>• The fee should be proportionate to the type and scale of development proposed;</li> <li>• We do not agree with any reduction in the fee, as there is no reduction in the work required.</li> </ul>
	Should a separate category be established for erection of glasshouses on land that is not agricultural land?	<ul style="list-style-type: none"> <li>• Yes, as it is not linked to agricultural land and is likely to raise issues.</li> </ul>
Category 10 – Polytunnels	Do you agree with the proposed planning fees?	No
	Is the proposed method for calculating the planning fee correct?	No
	Do you have any comments on the proposed fees and for calculating the planning fee?	<ul style="list-style-type: none"> <li>• The Council does not agree with any reduction in the fee, as there is no reduction in the work required;</li> <li>• The fee should be proportionate to the type and scale of</li> </ul>

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		development proposed.
	Should a separate category be established for erection of polytunnels on land that is not agricultural land?	Yes
Category 11 – Windfarms – access tracks and calculation	Do you agree with the proposed planning fees?	<ul style="list-style-type: none"> <li>Yes, we agree that an increase in fees for this type of development is required and should be inflation based as this type of development deals often with complex issues.</li> </ul>
	Is using site area the best method of calculating fees for windfarms of more than 3 turbines?	Yes.
	If not, could you suggest an alternative? In your response please provide any evidence that supports your view.	<ul style="list-style-type: none"> <li>It could be based on site area or per turbine which is ever the highest.</li> </ul>
	Do you have any comments on the proposed fees and for calculating the planning fee?	<ul style="list-style-type: none"> <li>The maximum cap of £150,000 is too low given the complexities of this type of development;</li> <li>As the number of sites for energy developments with complex constraints are increasing, this has a direct impact on the workload of the Planning Authority in terms of time, resources and expertise required to deal with these types of applications.</li> </ul>
Category 12 – Hydro Schemes	Do you agree with the proposed planning fees?	<ul style="list-style-type: none"> <li>Yes, we agree that an increase in fees for this type of development is required, and should be inflation based although the cap seems low as this type of development also has complex issues requiring resolution.</li> </ul>
	Is the definition and the proposed method for calculating the planning fee correct?	Yes
	Do you have any comments on the proposed method for calculating the planning fee?	No
	Could the planning fee be set using site area for the generating station and equipment with a separate calculation used for pipework? This could be similar to the fee for Fish Farms where the surface area is subject to a different fee to the seabed.	<ul style="list-style-type: none"> <li>We do not agree with this as the level of work carried out by the planning authority in assessing and determining these developments does not change so therefore a split fee approach is not justified or supported;</li> <li>As the number of sites for energy developments with</li> </ul>

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		complex constraints are increasing, this has a direct impact on the workload of the Planning Authority in terms of time, resources and expertise required to deal with these types of applications.
Category 13 – Other energy generation projects	Is the definition and the proposed method for calculating the planning fee correct?	<ul style="list-style-type: none"> <li>Yes, needs to be flexible for the type of development proposed.</li> </ul>
	Do you have any comments on the proposed method for calculating the planning fee?	No
	Should a category be created for Solar Farms?	<ul style="list-style-type: none"> <li>Yes, it needs to be identified similar to other energy developments like hydro developments.</li> </ul>
	Do you have any suggestions for how the fee should be calculated?	<ul style="list-style-type: none"> <li>Yes, could be similar to hydro developments fees.</li> </ul>
	Should a category be created for energy storage developments?	Yes
	Do you have any suggestions for how the fee should be calculated?	<ul style="list-style-type: none"> <li>Yes, similar to hydro development fees.</li> </ul>
	Should a category be created for Heat Networks?	Yes
	Do you have any suggestions for how the fee should be calculated?	<ul style="list-style-type: none"> <li>Yes, as suggested above.</li> </ul>
Category 14 – Exploratory Drilling for Oil and Natural Gas	Do you agree with the proposed planning fees?	No
	Is the proposed method for calculating the planning fee correct?	No
	Do you have any comments on the proposed fees and for calculating the planning fee?	No
Category 15 – Fish Farming	Do you agree with the proposed planning fees?	<ul style="list-style-type: none"> <li>Yes, we agree that an increase in fees for this type of development is required and should be inflation based</li> </ul>
	Is the proposed method for calculating the planning fee correct?	No
	Do you have any comments on the proposed fees and for calculating the planning fee?	No
Category 16 – Shellfish Farming	Do you agree with the proposed planning fees?	No
	Is the proposed method for calculating the planning fee correct?	No
	Do you have any comments on the proposed fees and for calculating the planning fee?	No
Category 17 – Plant and Machinery	Do you agree with the proposed planning fees?	<ul style="list-style-type: none"> <li>Yes, we agree that an increase in fees for this type of development is required and should be inflation based</li> </ul>
	Is the proposed method for calculating the planning fee correct?	Yes

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	Do you have any comments on the proposed fees and for calculating the planning fee?	No
Category 18 – Access, Car Parks etc. for Existing Uses	Do you agree with the proposed planning fees?	No
	Is the proposed method for calculating the planning fee correct?	No
	Do you have any comments on the proposed fees and for calculating the planning fee?	<ul style="list-style-type: none"> <li>• The addition of new car parks for existing uses should not be incentivised through a low, flat planning fee at a time when we are trying to reduce car dependency;</li> <li>• Adding a new car park can be complex. We currently have an application for a new carpark at an existing site that has several environmental constraints thus the work involved in assessing the application is significant; the fee for this type of application should reflect this;</li> <li>• Fee should be on a sliding scale based on the site area and inflation based.</li> </ul>
Category 19 – Winning and Working of Minerals	Do you agree with the proposed planning fees?	<ul style="list-style-type: none"> <li>• No</li> </ul>
	Is the proposed method for calculating the planning fee correct?	Yes
	Do you have any comments on the proposed fees and for calculating the planning fee?	<ul style="list-style-type: none"> <li>• We agree that an increase in fees for this type of development is required and should be inflation based but the cap is too low</li> </ul>
Category 20 – Peat	Do you agree with the proposed planning fees?	<ul style="list-style-type: none"> <li>• Yes, we agree that an increase in fees for this type of development is required and should be inflation based</li> </ul>
	Is the proposed method for calculating the planning fee correct?	No
	Do you have any comments on the proposed fees and for calculating the planning fee?	<ul style="list-style-type: none"> <li>• Consider the planning fee based on the volume of peat extracted as opposed to site area, whichever is higher</li> </ul>
	In light of the climate emergency do you agree that fees for applications relating to the winning and working of peat should continue to be considered separately from other mineral operations?	Yes
Category 21 – Other Operations	Do you agree with the proposed planning fees?	No
	Is the proposed method for calculating the planning fee correct?	Yes
	Do you have any comments on the proposed fees and for calculating	<ul style="list-style-type: none"> <li>• We agree that an increase in fees for this type of</li> </ul>



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	the planning fee?	development is required and should be inflation based but the cap is too low and could be realigned with other application fees.
Categories 22 and 23 – Waste Disposal and Minerals Stocking – does not cover waste management (recycling)	Do you agree with the proposed planning fees?	No
	Is the proposed method for calculating the planning fee correct?	No
	Do you have any comments on the proposed fees and for calculating the planning fee?	<ul style="list-style-type: none"> <li>We agree that an increase in fees for this type of development is required and should be inflation based although the cap is too low.</li> </ul>
Category 24 – Conversion of Flats and Houses (COU)	Do you agree with the proposed planning fees?	<ul style="list-style-type: none"> <li>Yes, we agree that an increase in fees for this type of development is required and should be inflation based</li> </ul>
	Is the proposed method for calculating the planning fee correct?	Yes
	Do you have any comments on the proposed fees and for calculating the planning fee?	No
Category 25 – Building (COU)	Do you agree with the proposed planning fees?	<ul style="list-style-type: none"> <li>Yes, we agree that an increase in fees for this type of development is required and should be inflation based</li> </ul>
	Is the proposed method for calculating the planning fee correct?	Yes
	Do you have any comments on the proposed fees and for calculating the planning fee?	No
Category 26 – Land (COU)	Do you agree with the proposed planning fees?	Yes
	Is the proposed method for calculating the planning fee correct?	Yes
	Do you have any comments on the proposed fees and for calculating the planning fee?	No
	Please list any types of developments not included within the proposed categories that you consider should be.	No
<b>OTHER FEES</b>		
AMSC Applications	How should applications for planning permission in principle and Approval of Matters Specified in Conditions be charged in future?	<ul style="list-style-type: none"> <li>Seems overly complicated and a wasted opportunity not to fundamentally review this element of the fees given the principle to move to full cost recovery;</li> <li>A standard fee could be short-changing Planning Authorities as AMSC can be very complex.</li> </ul>

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	How should the fee for AMSC applications be calculated?	<ul style="list-style-type: none"> <li>• Site area;</li> <li>• Sliding scale based on the use being proposed.</li> </ul>
	Should the maximum fee apply to the individual developers/applicants or applied to the whole development with applicants (if number is known) paying an equal share of the max fee?	<ul style="list-style-type: none"> <li>• Individual developer.</li> </ul>
	Should the granting of a Section 42 application lead to the fee calculator being reset?	<ul style="list-style-type: none"> <li>• Yes, application fee should be proportionate to the application as they can often be complex applications and a standard fee for altering a condition does not address it;</li> <li>• S42 is often used by developers to avoid paying a large application fee. The consultation does not provide a fee proposal for this and consideration needs to be given to it and linked to full application fees.</li> </ul>
Cross boundary Applications – Allocation of the fee	<p>Should the fee for cross boundary applications be split between the respective authorities?</p> <ul style="list-style-type: none"> <li>• No change</li> <li>• 100% to authority where majority of development occurs – remaining 50% to other authority.</li> <li>• Fee divided as per how the development is split across the authority boundaries</li> <li>• Other – please explain</li> </ul> <p>Please provide reasons for your answer</p>	<ul style="list-style-type: none"> <li>• Cross Boundary applications are rare but can be complex;</li> <li>• The fee divided as per how the development is split across the authority boundaries seems fair;</li> <li>• A very clear method of calculation would therefore be required to establish the amount of work done by each Planning Authority;</li> <li>• If this is not possible then the easiest way could be to set percentage so 100% and 50% seems reasonable and would avoid the opportunity for protracted discussion/negotiation.</li> </ul>
Conservation Areas	<p>Do you agree or disagree with the proposal that where applications are required because permitted development rights for dwellings in conservation are restricted, then a reduced fee should be payable?</p> <p>Please provide reasons for your answer</p>	<ul style="list-style-type: none"> <li>• The charging of an application fee in a Conservation Area is welcomed and it seems reasonable that it is a reduced fee given that it otherwise would be permitted development.</li> </ul>
Listed Building Consent	<p>Is the introduction of a fee for applying for Listed Building Consent appropriate?</p> <p>How should that fee be set?</p>	<ul style="list-style-type: none"> <li>• Yes, the introduction of a fee for LBC is entirely appropriate;</li> <li>• In some Authorities, there is an expertise that needs to be funded and this could be an opportunity to continue</li> </ul>

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		<p>with that to ensure heritage is well preserved and enhanced;</p> <ul style="list-style-type: none"> <li>• Sliding scale based on type of property</li> <li>• 50% reduction in fee;</li> <li>• Fee exemption for those on Buildings at Risk Register.</li> </ul>
Hazardous Substances Consent	<p>Should the fees for Hazardous Substances Consent be increased?</p> <p>What levels do you think are appropriate?</p>	<ul style="list-style-type: none"> <li>• Yes, we agree that an increase in fees for this type of development is required and should be inflation based.</li> </ul>
Other Types of Application	<p>Are the proposed increases in fees for the categories above appropriate?</p> <ul style="list-style-type: none"> <li>• CLUD</li> <li>• Advertisement</li> <li>• Prior Notification/Approval</li> <li>• S42</li> </ul> <p>Please explain the reason for your answer</p>	<ul style="list-style-type: none"> <li>• CLUD – agree</li> <li>• Advertisement – agree</li> <li>• Prior Notification/Approval – agree</li> <li>• S42 - an increase from £202 to £300 is inappropriate and does not reflect the potential complexity of Section 42 applications. We suggest 50% of fee as per current fee scales. See comments above under AMSC applications.</li> </ul>
	<p>Should the fee for Alternative Schemes remain as it is?</p> <p>Please explain the reason for your answer</p>	Yes
	Are there other fees which have not been considered?	All fully covered.
<b>DISCRETIONARY CHARGING</b>		
Range of Service	<p>Do you think we should set out the range of services which an authority is allowed to charge for?</p> <p>Please provide reasons for your answer</p>	<ul style="list-style-type: none"> <li>• Yes, the range of services for pre application charging should be set out to provide certainty, clarity and consistency across all Planning Authorities and to prospective users of the service;</li> <li>• It should be up to the Local Authority to decide whether they wish to charge for pre application discussions as some Councils may not wish to charge as these areas may not be so attractive to developers and wish to attract investment into the area;</li> <li>• Fees should be ring-fenced to ensure they go back into the planning service and deliver the expected uplift in service provision that would be the expectation of any</li> </ul>

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		charging.
Pre-Application Discussions	How should the fee for pre-application discussions be set?	<ul style="list-style-type: none"> <li>It would be helpful for the Government to set out what they see as being reasonable for Planning Authorities to be able to charge for but it should remain a local level decision as to how these fees are set (if it is decided to charge) and what level of service is provided;</li> <li>It should be based around the 3 main categories of Major &amp; large Local / Local (non-householder) / Householder in order to reflect the different structures and geography of each area. However, advice regarding a maximum reasonable limit for each category would be beneficial.</li> </ul>
	Should the fees for pre-application discussions be subtracted from the full fee payable on submission of an application? Please provide reasons for your answer	<ul style="list-style-type: none"> <li>Yes, this would be reasonable as it would provide an incentive to engage in pre application discussions.</li> </ul>
Processing Agreements	Do you think that there should be an additional charge for entering into a processing agreement to reflect the additional resource required to draft and agree the timescales to be included?	<ul style="list-style-type: none"> <li>No, in our experience if good quality pre-app consultation has taken place then a processing agreement is not required.</li> </ul>
	Should we set the fee for that or an upper limit allowing authorities the flexibility to set their fee within clear parameters?	<ul style="list-style-type: none"> <li>If fee is introduced this should be set at the national level and a Processing Agreement template should be used</li> </ul>
Non- Material Variations	Where a non-material variation is required should an authority be able to charge for each change which is made? Or per request? <ul style="list-style-type: none"> <li>No charge</li> <li>Per Change</li> <li>Per Request</li> </ul>	<ul style="list-style-type: none"> <li>Planning Authority should be able to charge for NMV processing per request as it is the process that the Planning Authority is responding to.</li> </ul>
	Should regulations set the fee for that or an upper limit allowing authorities the flexibility to set their fee within clear parameters?	<ul style="list-style-type: none"> <li>Scottish Government should set the fee in line with application fees.</li> </ul>
Monitoring of Conditions	Should authorities be able to charge for carrying out the monitoring of conditions?	<ul style="list-style-type: none"> <li>Yes, in order to go towards to cost of this service.</li> </ul>
	Should a fee for monitoring be limited to certain types of monitoring requirements?	Yes
	What should this be limited to?	<ul style="list-style-type: none"> <li>Major, EIA, minerals and large scale developments.</li> </ul>
	How should the fee be set?	<ul style="list-style-type: none"> <li>% of application fee on sliding scale</li> <li>Set at national level to ensure consistency as there may</li> </ul>

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		be concern that some Planning Authorities may put on more conditions in order to get more income.
Discharge of Conditions	Do you think there should be a fee payable for the discharge of conditions? Please provide reasons for your answer	<ul style="list-style-type: none"> <li>• Yes, this is a fair and reasonable approach as per the English planning system.</li> <li>• Fee should be based on a sliding scale and type of development.</li> </ul>
Planning Agreements	Do you think that Planning Authorities should be able charge for the drafting of planning agreements? Please provide reasons for your answer	<ul style="list-style-type: none"> <li>• Legal and planning fees should be chargeable. Legal agreements can often take a considerable amount of time to draft and negotiate so a fee should be charged to cover that cost.</li> </ul>
	If so how this should be calculated?	<ul style="list-style-type: none"> <li>• This should be set by the Scottish Government</li> </ul>
Masterplan Consent Areas	Should an authority be able to charge for development within a MCA (building, or changes or use) in order to recoup the costs involved in setting one up?	Yes
	Should we set the fee or an upper limit in the regulations?	Yes
	Please provide reasons for your answer	<ul style="list-style-type: none"> <li>• A specific fee category for MCA would be useful as although the benefits of this process in facilitating development are appreciated, it is nonetheless a very time-consuming exercise with no resultant fee income to the planning authority.</li> </ul>
Enhanced Project Managed Applications	Should the ability to offer and charge for an enhanced project managed service be introduced? How should this process work? Please provide reasons for your answer	<ul style="list-style-type: none"> <li>• Considerable co-ordination between the various services will be required, in effect creating a multi-consent processing agreement. This would require all Services to buy-into this process. What would make the appropriate fee difficult to easily calculate would be the differing options depending on what permission / consent / licences would be required (e.g. planning permission / building warrant / roads construction consent / licencing, etc). A lead officer would be required to project manage / co-ordinate all the input from the different services and ensure that the overall agreed timetable for the project was being met;</li> <li>• If introduced this should be discretionary for all Local</li> </ul>

## **PLANNING PERFORMANCE AND FEES CONSULTATION– WEST DUNBARTONSHIRE COUNCIL RESPONSE**

<b>SECTION</b>	<b>CONSULTATION QUESTIONS</b>	<b>COUNCIL RESPONSE</b>
		Authorities.
	What, if anything, should happen in the event of failure to meet timescales?	<ul style="list-style-type: none"> <li>If there has been a demonstrated failure on the part of the local authority to deliver what was agreed at the outset, the difference between the enhanced fee and the standard fees should be refunded.</li> </ul>
Self/Custom Build Registers	Do you think charging for being added or retained on the register of interested people should be included in the list of services which Planning Authorities should be allowed to charge for?	<ul style="list-style-type: none"> <li>Yes, charged on an annual basis.</li> </ul>
	Should there be a restriction on the amount that can be charged?	<ul style="list-style-type: none"> <li>Nationally applicable rate.</li> </ul>
	Please provide reasons for your answer	<ul style="list-style-type: none"> <li>This would give consistency for this service.</li> </ul>
Charging for Appeals	Do you think that, in principle, fees should be charged for appeals to DPEA?	Yes
	Should we limit the circumstances in which a fee can be charged for lodging an appeal?	No
	In what circumstances do you think a fee should be paid for lodging an appeal?	All
	Do you think that the fee should be refunded in the event of a successful appeal?	No
	If so, should this follow the same process as is currently set out for awarding costs?	See above response
	What categories of appeals should be considered for charging?	All
	Do you think that a fee scale should be provided in relation to appeals to Local Review Bodies and, if so, should the arrangements differ from appeals to DPEA?	<ul style="list-style-type: none"> <li>There should be a set fee for appeals to Local Review Bodies. This should be of a similar level to the appeals submitted to DPEA.</li> </ul>
Reducing And Waiving Fees	Do you have any suggestions as to the circumstances in which they could use this power?	<ul style="list-style-type: none"> <li>No, this will be difficult to administer. The advantage of the current fee system is that all applicants have to pay a fee with very few exceptions which means there is no discretion and no pressure to provide free or reduced fees.</li> </ul>
	Should the maximum reduction allowed be set out in regulations?	<ul style="list-style-type: none"> <li>Only if defined at the national level</li> </ul>
	Please provide reasons for your answer	<ul style="list-style-type: none"> <li>See above answer.</li> </ul>
<b>OTHER ISSUES</b>		
Retrospective Applications	Should the surcharge be set at 100%?	Yes

## **PLANNING PERFORMANCE AND FEES CONSULTATION– WEST DUNBARTONSHIRE COUNCIL RESPONSE**

<b>SECTION</b>	<b>CONSULTATION QUESTIONS</b>	<b>COUNCIL RESPONSE</b>
	If not what level should it be set at?	<ul style="list-style-type: none"> <li>• See above answer</li> </ul>
	Authorities will need to apply discretion when applying this surcharge. Should authorities need to clearly set out the reasons why the surcharge has been applied or not in each individual case?	<ul style="list-style-type: none"> <li>• No, if it is a retrospective application the surcharge should apply, to ensure that the planning process is not circumvented.</li> </ul>
	Please provide reasons for your answer	<ul style="list-style-type: none"> <li>• Change to fees will overly complicate what is an existing simple process.</li> </ul>
Incentives	Do you consider the use of rebates, discounts or other incentives, a useful tool in delivering a more efficient service? If so what would you consider to be an effective discount, rebate or other incentive?	<ul style="list-style-type: none"> <li>• No. We do not consider the use of these methods as an incentive, the cost to the Planning Authority has already been incurred whether the application has been decided in 26 weeks or not. These methods do nothing to provide a well-resourced and efficient planning service</li> </ul>
	Given the success of ePlanning, the continuing increase in its use and the savings which are made to both an applicant and authority in submitting an application electronically, do you think it is appropriate to apply an increased fee for submitting a paper application due to the additional work involved? Please provide reasons for your answer	<ul style="list-style-type: none"> <li>• We agree that an additional fee for paper applications should be introduced as there is a great administrative burden associated with these applications.</li> </ul>
Advertisements	Do you consider there should be a single advertising fee?	<ul style="list-style-type: none"> <li>• No, there are different costs associated with different newspapers and different parts of the country. The advertising fee should cover the cost of advertising and should be set by the Local Authority if moving towards full cost recovery;</li> <li>• Also, consideration should be given to whether advertising in a newspaper should be continued given other media and communication methods.</li> </ul>
	How do you think the cost of advertising should be recovered?	<ul style="list-style-type: none"> <li>• Before validation.</li> </ul>
EIA	Do you consider that submission of an EIA should warrant a supplementary fee in all cases? Please provide reasons for your answer	<ul style="list-style-type: none"> <li>• Yes, as these require specialist skills and expertise.</li> </ul>
	If so what might an appropriate charge be?	<ul style="list-style-type: none"> <li>• % of planning fee set at a national level.</li> </ul>
Hybrid Applications	Do you think that applications for planning permission in principle should continue to be charged at half the standard fee?	<ul style="list-style-type: none"> <li>• Hybrid applications for large developments can be used to effectively grant full planning permission for elements within the overall development by way of not requiring</li> </ul>

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<b>SECTION</b>	<b>CONSULTATION QUESTIONS</b>	<b>COUNCIL RESPONSE</b>
		<p>an AMSC application for the aspects for which full details have already been provided;</p> <ul style="list-style-type: none"> <li>• An increase to 75% would be appropriate</li> </ul>
	<p>Should there be a different fee for 'hybrid applications' as described here?</p> <p>Please give reasons for your answer</p>	<ul style="list-style-type: none"> <li>• See above answer.</li> </ul>
Charging for SG Services	Should the Scottish Government introduce a service charge for submitting an application through eDevelopment (ePlanning and eBuilding Standards)?	<ul style="list-style-type: none"> <li>• Yes, but less than paper.</li> </ul>
<b>IMPACT ASSESSMENTS</b>		
	Do you have any comments on the BRIA?	No
	<p>Do you agree with our conclusion that a full EQIA is not required?</p> <p>Please provide reasons for your answer</p>	No comment
	<p>Do you have any comments on the EQIA?</p> <p>Please provide reasons for your answer</p>	No comment
	<p>Do you agree with our conclusion that a full SEA is not required?</p> <p>Please provide reasons for your answer</p>	No comment
	<p>Do you agree with our conclusion that a full CRWIA is not required?</p> <p>Please provide reasons for your answer</p>	No comment
	<p>Do you agree with our conclusion that a full Fairer Scotland Duty assessment is not required?</p> <p>Please provide reasons for your answer</p>	No comment
Island Proofing	Do you have any comments which relate to the impact of our proposals on the Islands?	No comment