

TO: PLANNING & REGULATORY COMMITTEE **DATE:** 6 JANUARY 2016
BY: STRATEGIC NETWORK RESILIENCE TEAM
PURPOSE: FOR DECISION

TITLE: AMENDED CHARGING SCHEDULE FOR THE PROVISION OF PRE-APPLICATION ADVICE ON SURFACE WATER DRAINAGE

SUMMARY

At its meeting on 10 June 2015, the Planning & Regulatory Committee approved a system of charging for the provision of pre-application advice on surface water drainage matters. For a number of reasons it is now proposed that the original charging schedule for this service be amended to better reflect the level of service provided. The Committee is therefore asked to approve the amended charging schedule.

RECOMMENDATIONS:

It is recommended that:

1. the Committee approve the amended charging schedule for the provision of pre-application advice on SuDS.
2. the amended fees be implemented with immediate effect

INTRODUCTION

1. As of 6 April 2015, Sustainable Drainage Systems (SuDS) are now delivered through the planning system following changes to Central Government legislation. As part of this change, as of 15 April 2015 with the Town and Country Planning (Development Management Procedure) (England) Order 2015 coming in to force, Surrey County Council (SCC; 'the Council') in its capacity as Lead Local Flood Authority (LLFA) became a statutory consultee on surface water management issues for all new major developments.
2. Owing to the additional resource burden this placed on the Council, a new 'Sustainable Drainage and Consenting Team' was created within Surrey Highways, the role of which is to assess surface water management issues for new major developments and provide feedback and advice on these applications to the relevant Local Planning Authority (LPA).

3. As of December 2015, over 230 responses to planning applications have been provided by this team. Given the volume of work the team was expected to process, the Council required an additional source of revenue to fund this work and the Committee therefore approved a proposal to implement a charging system for the provision of pre-application advice. This charging system was based on that already used by the Council's Transport Development Planning (TDP) Team
4. However, following implementation of the Lead Local Flood Authority's new responsibility as statutory consultee in April 2015, it has become clear that the level of these charges needs to be amended in order to better reflect the levels of service currently being provided by officers.

REASONS FOR AN AMENDED CHARGING SCHEDULE

5. Although the charges originally approved by the Committee in June of this year were based on the most accurate information available at the time, experience of managing the LLFA's new responsibility and the level of service provided in practice has led officers to conclude that it is necessary to *reduce* the amount charged for the pre-application advice on the largest applications for the following reasons:

5.1. **Surrey County Council not becoming the SuDS Approval Body (SAB):**

when the amended national standards were originally put forward for consultation, it was anticipated that the County Council would be required to fulfil the duties of a SAB, as set out in Schedule 3 of the Flood and Water Management Act. These duties would have included approving SuDS prior to construction, producing guidance documents and approval/adoption procedures, and adopting and maintaining SuDS that serve more than one property. However, central government has not yet decided to enact Schedule 3 but instead to progress SuDS implementation through the existing planning system. This therefore only requires the Council to provide advice to LPAs as statutory consultee, reducing the resource impact on LLFAs.

- #### 5.2. **Meeting the requirements of applicants:** the level of detail received from applicants within pre-application submissions has been much lower than expected. Therefore, the amount of information that officers need to consider in order to provide advice or make an assessment is less than envisaged. This means that in general the average time spent on each application is lower than anticipated in the original charging estimates provided.

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results in better applications coming forward and gives us the opportunity to promote the wider biodiversity, amenity and pollution prevention benefits of SuDS. Reducing the level of fees (particularly for the larger sites where masterplanning can significantly improve the incorporation of SuDS) will hopefully encourage developers to make use of this service. Taking these factors into account, the advice service provided by the Council has been adapted to meet the requirements of applicants.

5.4. It should be noted that although SCC are only statutory consultees for major planning applications, we are also offering the pre-application advice service to minor developments as the requirement for SuDS to be considered extends across all developments under the National Planning Policy Framework.

5.5. **Justifying value:** given that the level of scrutiny and advice the LLFA can provide is based on the information received from the applicant, and that the volume of this information has been lower than expected, the amount of money charged must reflect the service we are providing. It is not considered reasonable to charge a higher fee when a service that is less comprehensive than was envisaged is given. Furthermore, unlike TDP applications, the complexity of SuDS applications does not necessarily increase proportionally depending on the size of the development. This is particularly true at pre-application stage where the LLFA is consulted on the underlying principles of a SuDS application and not the specific 'detail' of a drainage scheme which generally follows the submission of the planning application.

5.6. **Alignment with Planning charges:** in practice, and for the reasons outlined above, the level of service provided by the Council for pre-application SuDS advice is in line with that provided by the central Planning Team. This service sets out three tiers of advice provision: firstly a complimentary service providing outline guidance documents either online by email; secondly set fees for provision of bespoke written advice or site meetings for different sizes of development; finally a standard charge per hour is levied for further detailed consultation advice above that previously provided. Therefore it is proposed that the fees charged by the LLFA be in line with those offered by teams that provide a similar level of service.

PROPOSED AMENDED CHARGING SCHEDULE

6. In light of the reasons detailed above it is proposed that the cost for advice on the smaller sized developments increases marginally and the cost for the larger size applications reduces. This has been calculated to better reflect the time spent on providing the advice
7. The proposed charging schedule is set out in Table 1.

Category	SuDS and Consenting Service & Fee
<p>Level 1</p> <p>Free self service web based pre-application information and initial verbal advice</p> <p>Optional report(s) detailing known flood risks and suitability of site for SuDS techniques</p>	<p>SCC guidance on our webpages and links to other relevant guidance and standards</p> <p>Officer contact - initial 15 minutes verbal/email advice (FREE)</p> <p>A site Flood Risk Report provided on request = £120</p> <p>For a Detailed Report FRR and site SuDS suitability summary: Up to Minor = £180; Major = £240; Large-major = £300</p>
<p>Level 2</p> <p>Initial discussions with the SuDS and Consenting Team to progress a development proposal. Requires basic information to be provided in advance by developer. Includes Flood Risk Report summarising known site information</p> <p>Major = 10 or more dwellings/ site over 0.5 hectares where number of dwellings not known OR a building greater than 1000sq.m/ site over 1 hectare.</p> <p>Large major = 200 or more dwellings OR a site over 4ha</p>	<p>Minor applications</p> <p>Site visit meeting (£660 +VAT) Officer meeting (£530 +VAT) Written advice (£450 +VAT)</p> <p>Major applications</p> <p>Site visit meeting (£1110 +VAT) Officer meeting (£975 +VAT) Written advice (£780 +VAT)</p> <p>Large Major applications</p> <p>Site visit meeting (£1825 +VAT) Officer meeting (£1665 +VAT) Written advice (£1425 +VAT)</p>
<p>Level 3</p> <p>Where an initial meeting has taken place, to further scope the proposal and to provide relevant detailed advice on the content of a planning application. To provide and facilitate feedback where draft documents have been submitted. Requirements to be specified and agreed with the planning authority in advance of meeting, including payment of appropriate deposit.</p>	<p>Further meetings</p> <p>(Deposit of £250 required, SuDS Officer attendance invoiced at hourly rate of £100 +VAT per hour)</p> <p>Further Written advice will be charged at a fee as agreed with the applicant (based on detailed email queries/responses)</p>

Table 1 - Proposed Charging Schedule

CONCLUSIONS

- Amending the current charging schedule for the provision of pre-application advice will make the fees proportionate to the level of service offered and adequately reflect the resource burden placed on the Lead Local Flood Authority.

Financial and value for money implications

9. These recommendations will bring the income generated from the provision of pre-application advice on surface water management in line with the level of service provided; therefore it will improve value for money for applicants.
10. Whilst it is difficult to estimate the change in income that will result from the changes it is anticipated that the reduction in income from very large schemes requesting advice will be mitigated by the increase in number of medium to large schemes coming forward because of lower fees.

Equalities and Diversity Implications

11. The County is required to have due regard to the public sector equality duty when making decisions. Approval of these recommendations does not raise any equality implications therefore an EIA was not needed.

Risk Management Implications

12. The reduction in cost for pre-application fees for larger applications are likely to increase the number of requests coming forward and this will require increased staff resource. This assessment has already been included within the Strategic Network Resilience business plan and estimated resourcing levels.
13. The slight increase in costs for pre-application fees for very small applications are likely to decrease the number of requests coming forward for this size of development and may result in some applications not having advanced bespoke advice. This is mitigated by the provision of detailed standing advice at a low cost and free general verbal/email advice from an officer.

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BACKGROUND PAPERS: Report to Planning & Regulatory Committee 10 June 2015: Charging for Pre-Application Advice Relating to Surface Water Drainage and SuDS.

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