

11th March 2020

Changes to planning and related application fees
Planning Directorate
Welsh Government
Cathays Park
Cardiff
CF10 3N

Email: planconsultations-g@gov.wales

Dear Sir/Madam

'CHANGES TO PLANNING AND RELATED APPLICATION FEES - WG39261

The Mineral Products Association (MPA) is the trade association for the aggregates, asphalt, cement, concrete, dimension stone, lime, mortar and silica sand industries. With the affiliation of British Precast, the British Association of Reinforcement (BAR), Eurobitume, MPA Northern Ireland, MPA Scotland and the British Calcium Carbonate Federation, it has a growing membership of over 530 companies and is the sectoral voice for mineral products. MPA membership is made up of the vast majority of independent SME quarrying companies throughout the UK, as well as the 9 major international and global companies. It covers 100% of UK cement production, 90% of GB aggregates production, 95% of asphalt and over 70% of ready-mixed concrete and precast concrete production. In 2016, the industry supplied £18 billion worth of materials and services to the Economy. It is the largest supplier to the construction industry, which had annual output valued at £169 billion in 2018. Industry production represents the largest materials flow in the UK economy and is also one of the largest manufacturing sectors. For more information visit: www.mineralproducts.org.

Thank you for consulting us on the above document. Our comments are appended to this letter.

If you require clarification on any of the points made, please do not hesitate to contact us. We should be grateful if you could forward future correspondence to the email below.

Yours faithfully



Nick Horsley
Director of Planning, MPA Wales

Email: nick.horsley@mineralproducts.org
Tel: 07568 427720



deunyddiau hanfodel
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essential materials
sustainable solutions

MPA Wales/Cymru

Penyfron Fron
Garthmyl Powys SY15 6SA
Ffon/Tel +44 (0)1686 640630
Ffacs/Fax +44 (0)1686 640773
Sym/Mob +44 (0)7967 655379
dh@hardingpr.co.uk
www.mineralproducts.org

MPA Wales/Cymru is part of the Mineral Products Association, the trade association for the aggregates, asphalt, cement, concrete, dimension stone, lime, mortar and silica sand industries

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Registered Office: Gillingham House
38 - 44 Gillingham Street London SW1V 1HU

<p>Question 1</p>	<p>Do you agree with the proposed 20% increase in application fees, excluding pre-application services? If not, why not?</p>
<p>MPA Response</p>	<p>NO. The proposed increase in fees of 20% is not justified, is premature and disproportionate for the service delivered.</p> <p>Time and time again, the Government’s answer to the problem of delivering an efficient and effective development management system has been to pour more applicants’ money in to a long failing system with no accountability. Any increase in fees at present is wholly premature and inappropriate, not least as the current consultation has clearly signalled a fundamental review of the funding for the planning system. This review is coupled with the long anticipated review of Planning Law in Wales which may also impact upon the planning process and its subsequent costs.</p> <p>It is a matter of routine that proposed planning fee increases are justified by Welsh Government (WG) in order to address the failings of the planning system. This has become self-fulfilling. WG’s previous report into the Review of Planning Application Fees (October 2014) stated: <i>2.11 We have already stated that we do not consider an increase in planning fees alone will deliver our objectives and that we need to ensure LPAs use the resources in the most efficient and effective manner. The proposed increase in planning fees would be on the understanding that there is a commitment by LPAs to review their service delivery.</i>”</p> <p>Whilst applicants had no option but to pay an increased planning fee, the commitment for the LPAs, to improve the process, has not been delivered.</p> <p>In response to the same consultation, WG reported that businesses commented <i>“that they would not object to an increase in planning fees if it is supported by an improvement in LPA performance”</i>. This improvement in performance has failed to materialise and as such, this time, business IS objecting to the proposed increase.</p> <p>Any increase PRIOR to a formal review, is perverse and should not be implemented.</p> <p>We note that WG proposes to carry out research to identify the true costs of running a development management system. We would add that numerous studies have been undertaken over the past couple of decades aimed at reviewing the planning process and despite endless conclusions and recommendations, the recommendations have not been implemented. We seek assurance that a further review will be of any benefit, with WG committed to properly consider the recommendations.</p> <p>We believe that citing changes in WG legislation as justification for increased costs to LPAs are simply a distraction from the inherent flaws in the system.</p> <p><u>Monitoring Fees for Minerals and Waste Development</u></p> <p>Mineral site monitoring fees are a further taxation on operational minerals development and such any increase is wholly disproportionate to the output from monitoring visits and reports. Why are monitoring fees not applicable to other forms of development where for example landscaping schemes are routinely overlooked in the built environment. The standard of monitoring visits and reporting across Wales is extremely variable and wholly inconsistent. Monitoring fees should be considered with the full review of planning fees and prior to the increase being proposed. WG should also implement measures to improve the standards of monitoring visits and reporting and make these more accountable.</p>

<p><i>Question 2</i></p>	<p><i>Do you agree with introducing a fee of £230 for applications for Certificates of Appropriate Alternative Development, made under section 17 of the Land Compensation Act 1961? If not, why not?</i></p>
<p>MPA Response</p>	<p>No Comment</p>
<p><i>Question 3</i></p>	<p><i>Do you have any comments to make, or evidence to put forward in relation to the current fee regime, or any suggestions for improvements?</i></p>
<p>MPA Response</p>	<p>Planning fees were introduced in 1981 to remove the burden of the planning system from the ratepayer. However, it is recognised that the full cost of recovery for many household applications would be too expensive for a household applicant to pay and as such many applicants for major developments supplement these small applications. Is the appropriate?</p> <p>In Wales, there have been suggestions to set up regional teams of minerals planners. In some respects this already exists with the Flintshire mineral planners dealing with minerals applications (including some in England). Similarly, the Carmarthenshire planners have a wider remit in South Wales. Formalising this approach should supported more widely by WG subject to accountability. Regional teams of experienced minerals planners would provide a better service and could also be used to educate council members.</p> <p>MPA members would prefer to pay an application fee in the knowledge that they'll be receiving a professional service rather than paying planners with no minerals knowledge based upon a crudely calculated fee projections.</p> <p>WG could consider parallels with the marine licensing system where the MMO charge an hourly rate. For land based minerals applications, this could be supplemented by a fixed registration fee to cover costs of registration, validation and ultimate determination (inc. committee), with all in between being on an accountable hourly rate complemented by regular invoicing. The system should be transparent and accountable. The fee structure and costs to the applicant could be comparable with the private sector.</p> <p>It is appropriate for a developer to pay for a service, however, the level of service now received by applicants, particularly in the minerals sector is below what should be reasonably expected. We would however, be happy to comment on any future proposals.</p>
<p><i>Question 4</i></p>	<p><i>We would like to know your views on the effects that changes for planning and related applications fees would have on the Welsh language, specifically, on opportunities for people to use Welsh and on treating the Welsh language no less favourably than English.</i></p> <p><i>What effects to you think there would be? How could positive effects be increased, or negative effects be mitigated?</i></p>
<p>MPA Response</p>	<p>It is important that access to the planning system should be equal for all and language, whether Welsh or English should not be a barrier.</p>
<p><i>Question 5</i></p>	<p><i>Please also explain how you believe the proposed policy for changes to fees for planning and related applications could be formulated or changed so as to have positive effects or increased positive effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language, and no adverse effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language.</i></p>
<p>MPA Response</p>	<p>See comment above.</p>