

Single Member Cabinet
Decision

Executive Forward Plan Reference	E3153
---	--------------

Replace the Permitted Development Questionnaire application process with self-serve and Lawful Development Certificate

Decision maker/s	Cllr Tim Ball, Cabinet Member for Housing, Planning and Economic Development							
The Issue	<p>A Permitted Development Questionnaire (PDQ) application allows customers to ask the planning department whether a proposed development requires planning permission. The service is a local, non-statutory application costing £57 including VAT providing the informal opinion of the planning department. The issues are:</p> <ul style="list-style-type: none"> • This is a discretionary service which is not part of the Council's Core Offer • Demand has halved over the last couple of years • There is an alternative statutory application called a Lawful Development Certificate (LDC) providing the same service • In many cases customers can self-serve to find out their Permitted Development (PD) rights which planning encourage to further reduce unnecessary phone calls • A recent mini restructure has consolidated and simplified the work of the Planning Support Team meaning that PDQ processing has moved out of the team and to planning officers 							
Decision Date	23 Sep 2019							
The decision	The Cabinet Member agrees that B&NES Planning can replace the PDQ service with further promotion of self-serve (where appropriate) and the statutory LDC type application where customers require the answer to their question of 'do I need planning permission', thereby simplifying the Planning service offer.							
Rationale for decision	<p>Demand for the PDQ service has halved from an average of 3 a day to less than 1.5 per day now possibly as PD legislation has become better understood by agents and the public alike since this legislation was introduced a number of years ago.</p> <p>Customers can self-serve which we can encourage</p> <p>There is a statutory national application which can be used instead of a PDQ and answers the same question of 'do I need planning permission'. Here is a comparison of the differences between PDQ and LDC:</p> <table border="1" data-bbox="464 1892 1476 2078"> <tr> <td>Permitted Development Questionnaire</td> <td>Lawful Development Certificate</td> </tr> <tr> <td>Informal opinion</td> <td>Legal certificate</td> </tr> <tr> <td>Non-Statutory process, local to B&NES</td> <td>National statutory application form</td> </tr> </table>		Permitted Development Questionnaire	Lawful Development Certificate	Informal opinion	Legal certificate	Non-Statutory process, local to B&NES	National statutory application form
Permitted Development Questionnaire	Lawful Development Certificate							
Informal opinion	Legal certificate							
Non-Statutory process, local to B&NES	National statutory application form							

	<table border="1" data-bbox="464 91 1474 315"> <tr> <td data-bbox="464 91 975 165">Owner is not necessarily legally protected</td> <td data-bbox="975 91 1474 165">Owner protected by issue of legal certificate</td> </tr> <tr> <td data-bbox="464 165 975 203">£57</td> <td data-bbox="975 165 1474 203">£107</td> </tr> <tr> <td data-bbox="464 203 975 241">Up to 4 weeks to respond</td> <td data-bbox="975 203 1474 241">Up to 8 weeks to determine</td> </tr> <tr> <td data-bbox="464 241 975 315">Sketch plan required</td> <td data-bbox="975 241 1474 315">Site Location plan required and sketch plan</td> </tr> </table> <p data-bbox="379 394 1458 501">The Planning Core Offer of non-statutory duties is as follows: Provide a Pre application advice service including Development Team; Set up Planning Performance Agreements where appropriate</p> <p data-bbox="379 535 1398 607">Many other local authorities do not offer a PD checking service such as Bristol CC, LB Westminster, LB Waltham Forest</p>	Owner is not necessarily legally protected	Owner protected by issue of legal certificate	£57	£107	Up to 4 weeks to respond	Up to 8 weeks to determine	Sketch plan required	Site Location plan required and sketch plan
Owner is not necessarily legally protected	Owner protected by issue of legal certificate								
£57	£107								
Up to 4 weeks to respond	Up to 8 weeks to determine								
Sketch plan required	Site Location plan required and sketch plan								
Financial and budget implications	Very little, if any, impact on planning income								
Issues considered	Customer Focus; Equality (age, race, disability, religion/belief, gender, sexual orientation); Corporate; Other Legal Considerations								
Consultation undertaken	Ward Councillor; Staff; Other B&NES Services; Service Users; Stakeholders/Partners; Section 151 Finance Officer; Monitoring Officer								
How consultation was carried out	A survey was sent to over 140 email addresses from the Agents Forum mailing list and 32 individuals responded and their responses were analysed								
Other options considered	That the current PDQ process could be kept and the price increased to around £90 to cover the cost of delivery which would depress demand even further in all likelihood.								
Declaration of interest by Cabinet Member(s) for decision, including any dispensation granted:	The nature of interest and whether interest is a disclosable pecuniary interest or an-other interest, including any conflict of interest, (as defined in Part 2, A and B of the Code of Conduct and Rules for Registration of Interests). Any Member who needs to clarify any matters relating to the declaration of interests is recommended to seek advice from the Council's Monitoring Officer or a member of their staff before taking the decision.								
Any conflict of interest declared by anyone who is consulted by a Member taking the decision:									
Name and Signature of Decision Maker/s									

Date of Signature	
------------------------------	--

Subject to Call-in until 5 Working days have elapsed following publication of the decision
