



Response to Consultation on Increasing planning fees and performance

Wildlife and Countryside Link, Land Use Planning Group, April 2023

About Wildlife and Countryside Link:

Wildlife and Countryside Link is a coalition of 70 environmental organisations in England, using their strong joint voice for the protection and enhancement of nature.

This Link response is supported by: Bumblebee Conservation Trust, Campaign for National Parks, Open Spaces Society, RSPB, The Wildlife Trusts, and Woodland Trust.

For more information about this response, please contact Emma Clarke at Link (emma.clarke@wcl.org.uk).

Responses to selected [consultation questions](#):

Question 7. Do you consider that the additional income arising from the proposed fee increase should be ringfenced for spending within the local authority planning department?

(Yes/No/Don't know. Please give your reasons.)

Yes. If the proposals of this consultation is implemented, the additional income arising from the proposed fee increase should be dedicated to achieving the stated aim of this consultation to improve planning performance. Any additional income should be directed towards building planning capacity and enhancing planning outcomes, rather than other services.

Question 8. Do you agree that the fee for retrospective applications should be doubled, i.e. increased by 100%, for all applications except for householder applications?

(Yes/No/Don't know. Please give your reasons.)

Yes. Doubling the fee for retrospective applications will act as a deterrent, helping to lower the risks to nature posed by applications that do not have planning consent and have not been subject to checks of the planning system.

Raising the fees should be considered alongside other deterrents, for example, a longer consultation period, to help reduce the number of developments deliberately brought forward without planning permission.

Question 11. What do you consider to be the greatest skills and expertise gaps within local planning authorities?

The greatest skills and expertise gaps within local planning authorities are ecology and monitoring and enforcement.

Currently, LPAs do not have sufficient capacity or ecological expertise to fulfill their statutory planning functions. A 2021 study funded by Defra and undertaken by ALGE¹ found that as many as 26% of LPAs do not have access to ecological expertise. Only 5% of respondents said that their current ecological resource is adequate to scrutinise all applications that might affect biodiversity, let alone implement new environmental policies and requirements such as Biodiversity Net Gain (BNG). A 2016 survey conducted by ALGE² found that there is huge variation in the quality of ecological reports, with many ecological reports paying insufficient regard to the mitigation hierarchy, provided with insufficient information, and in assessing impacts there is a wide variation in the quality of work and in conformity with CIEEM guidance.

Enforcement action is discretionary, but there are often complaints about lack of enforcement action. The 3,867 enforcement notices issued in 2018/19 were 30% lower than the number issued in 2008/09 (5,532).³ A Government consultation in 2018 noted that there was a considerable variation in how enforcement powers were used – the Government’s response to this consultation in 2019 concluded that practical and financial support for local authorities, including new good practice guidance and funding for planning enforcements would be useful.⁴

Again, especially in the context of mandatory Biodiversity Net Gain in November 2023, sufficient capacity and funding for local planning authorities to carry out monitoring, and if needed, enforcement, will be important to ensure proper implementation of BNG and positive outcomes for nature.

Question 12. In addition to increasing planning fees, in what other ways could the Government support greater capacity and capability within local planning departments and pathways into the profession? Please provide examples of existing good practice or initiatives if possible.

The Government can support greater capacity and capability within local planning departments by providing a robust framework for planners to do the job they want to do – to create sustainable, healthy, beautiful places for people and nature.

A statutory purpose for planning to deliver the targets and objectives of the Climate Change Act 2008 and the Environment Act 2021 would support planners in making policies and decisions that are good for people and nature.

¹ <https://www.adeptnet.org.uk/sites/default/files/media/2022-07/ALGE-ADEPT%20Report%20on%20LPAs%20and%20BNG.pdf>

² <https://www.alge.org.uk/wp-content/uploads/sites/15/2021/01/ALGE-Ecological-Report-Fitness-for-Purpose-Full-Report-2016.pdf>

³ <https://researchbriefings.files.parliament.uk/documents/SN01579/SN01579.pdf>

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https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/917668/Unauthorised_development_and_encampments_response.pdf