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Ministry of Housing, Communities & Local Government

Consultation outcome

Fees for planning applications: government response

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Introduction

A fast, effective and reliable planning service is essential to support housing delivery, economic growth and the provision of infrastructure. The government is therefore committed to ensuring that local planning authorities are sufficiently resourced to determine applications in a timely and high-quality manner.

It is equally important that any changes to planning fees strike the right balance, ensuring authorities can recover their costs while remaining proportionate for applicants and supporting continued investment and development.

The Planning and Infrastructure Act 2025 introduced new powers for local fee setting which will enable local planning authorities to set their own planning application fees through a local variation model. Under this approach, a national default fee will remain in place and apply to all local planning authorities, unless an authority chooses to vary from the default fee for any or all application fee categories to reflect their own costs.

Our public consultation which ran from 23 March to 18 May sought views on the proposed National Default Fee Schedule, including the appropriate level of fees, whether structural changes should be made to specific fee categories, and the wider framework for local fee setting. It also sought views on related measures, including the proposed statutory consultee surcharge and the future role of discretionary services.

Taken together, the government's approach is phased. In the immediate term, we will increase national planning fees, largely retaining the existing fee categories, to improve cost recovery and support service delivery. We will then introduce measures for local fee setting, which will enable authorities to vary fees to reflect local costs, and also introduce a planning surcharge for statutory consultees. This approach balances the need for early improvements in resourcing with longer-term structural reform, including any further structural reforms to fee categories, to support a more sustainable and responsive fee regime.

In total, 173 responses were received from a wide range of stakeholders across the public and private sectors, as well as members of the public. The table below sets out the breakdown of responses by respondent type.

Table 1: Overall number of consultation responses

Category of respondent	Number of responses
Local Planning authority	82
Parish or Town Council / Neighbourhood planning bodies	1
Developer / Landowner	23
Business (Other than Developer / Landowner)	12
Planning Professional	13
Professional Association / Industry Representative	26
Voluntary / Charitable Sector	2
Member of the Public	6
Other	8
Total	173

This document provides a summary of the views received in response to the consultation proposals and sets out the government's next steps.

Not all respondents answered every question in the consultation and in some cases, respondents provided only a qualitative response. For the purposes of the statistical summary of responses to each question below, we have excluded those respondents who either did not answer the question at all or provided only a qualitative response. However, where respondents provided only a qualitative response, their comments have been considered alongside the other responses.

National Default Fee Schedule

Question 1

Do you support the proposed National Default Fee Schedule, set at 90% of full estimate cost?

Summary of responses

There were 167 responses to this question. Of these, 98 (59%) answered “yes”, 40(24%) answered “No” and 29 (17%) were “Unsure”. Local planning authorities were largely supportive, with 54 (68%) in favour, 16 (20%) opposed and 10 (13%) unsure. Developers and landowners were less supportive but still broadly positive overall, with 12 (52%) in favour, 7 (30%) opposed and 4 (17%) unsure.

Key Points raised in this response include:

- overall, respondents were broadly supportive of the proposed National Default Fee Schedule, set at 90% of full estimate cost. Many respondents, particularly local planning authorities, considered it a significant step towards more realistic fee levels and improved resourcing, provided that income is retained and reinvested into their planning application service
- however, many local planning authorities also questioned why the proposed National Default Fee Schedule did not go further and recover 100% of estimated costs. While acknowledging the rationale for not exceeding full cost recovery, respondents suggested that planning fees are unlikely to generate a surplus
- among those opposing the proposal, particularly developers and landowners, the key concern was the lack of clear links to service improvements. Respondents emphasised that higher fees would only be supported if ringfenced for planning services and accompanied by measurable improvements in performance. They also stressed the need for robust monitoring, including appropriate mechanisms, such as cost-recovery measures, to ensure underperformance is addressed and to avoid embedding existing inefficiencies
- some respondents also raised concerns about viability impacts, particularly for SMEs, and suggested a more incremental approach (e.g. 80–85% cost recovery) as a way to balance improved resourcing with affordability

Government response

The government recognises that current planning fees do not fully reflect the costs incurred by local planning authorities, contributing to under-resourcing and inconsistent performance. We therefore intend to establish a new National Default Fee Schedule by increasing all planning fees up to an estimated 90% cost recovery. This represents a proportionate approach, with applicants meeting a significantly greater share of the costs of the service they use whilst incentivising efficiency gains, alongside wider government investment to strengthen capacity and capability across the planning system.

We also recognise that some respondents, particularly local planning authorities, consider that fees could be higher to achieve full costs recovery. However, the government considers that retaining a modest taxpayer contribution strikes the right balance between costs recovery and supporting growth and incentivising services efficiencies. New local fee setting powers will enable local planning authorities to vary fees where they can evidence that the national schedule does not cover their costs.

We acknowledge the concerns about the impact of higher fees on applicants, particularly SMEs. However, planning fees represent a small proportion of overall development costs, and applicants should benefit from improved resourcing, leading to more efficient and reliable services.

We agree that it is important that increased fees translate into improved performance. We will continue to monitor the speed and quality of local planning authority decision-making and will take action where performance does not meet expectations. We also intend to review the performance regime to identify opportunities to strengthen it further and drive sustained improvements.

Question 2

Are there any proposed fees in the National Default Fee Schedule that you consider to be unrepresentative of 90% of estimated full cost levels for local planning authorities (either too low or too high)?

Summary of responses

There were 142 responses to this question. Of these, 73 (51%) considered that some fees were unrepresentative of 90% cost recovery, 32 (23%) did not and 37 (26%) were unsure. Local planning authorities were more likely to consider fees unrepresentative (48; 63%), while developers and

landowners were less likely to do so (5; 26%), with a larger proportion considering fees broadly appropriate.

Key points raised in the responses include:

- many respondents, particularly local planning authorities, consider section 73 applications to vary or remove conditions to be the most unrepresentative, arguing they are too low given the complexity of some applications, particularly for major or strategic sites where the work required can be comparable to a full application. In contrast, some developers and landowners considered these fees to be high, particularly for minor amendments
- some local planning authorities also raised concerns about the proposed fee for discharge of conditions being too low, particularly where multiple conditions are submitted and conditions for larger sites. However, some developers noted that the site size does not necessarily mean it is more complex
- a broader theme, particularly from local planning authorities, was that some categories associated with larger or more complex schemes, such as major, phased, outline and EIA development, remained insufficient compared to the resource required. This was attributed to the scale of assessment, extensive consultation and technical input

Government response

The government is grateful for the responses received. We recognise that respondents particularly consider that the fees for large and complex development, including phased schemes, section 73 applications and discharge of conditions do not represent 90% of estimate costs. However, the costs associated with these applications can vary significantly, making it challenging to set fees that are fully representative in all cases, and without overburdening applicants, particularly SMEs.

These issues are considered further in relevant sections of this response, including for larger or more complex development (Questions 3 and 4), section 73 applications (Questions 8 and 9) and discharge of conditions (Questions 10 to 12).

In order to support improved resourcing of local planning authorities, we intend to proceed with the proposed fee increases through regulations this summer. However, we will continue to consider the issues raised as part of our wider programme of structural fee reform. The introduction of local fee-setting powers will also provide greater flexibility for authorities to set fees that better reflect their actual costs, where supported by evidence.

Restructuring of existing fee categories and new application fees

Question 3

Do you support the proposed changes to the fee structures for outline, full and reserved matters applications for residential and non-residential development as set out in the proposed National Default Fee Schedule?

Summary of responses

There were 140 responses to this question. Of these respondents 89 (64%) supported the proposed changes, 24 (17%) did not and 27 (19%) were unsure. Local planning authorities were largely supportive, with 57 of 75 (76%) in favour and 9 (12%) not in favour. Developers and landowners were also broadly supportive, with 12 of 20 (60%) in favour.

Key points raised in the responses include:

- the majority of responses across all groups was supportive of the proposed changes to the fee structures for outline, full and reserved matters applications for residential and non-residential development. It was regularly highlighted that current fee structures can be complex and difficult to navigate. Respondents generally considered that the revised structure would improve clarity, consistency and transparency for all users, while better reflecting the operation of the modern planning system
- local planning authorities were particularly in favour of restructuring fees to better reflect the scale and complexity of major and phased development. However, some respondents commented that site-area based approaches often do not align with the actual work required, particularly for developments for renewable energy and minerals which may be large in scale but relatively less complex
- some respondents raised concerns that banded structures can create “cliff edges”, with some applicants, particularly SMEs, incentivised to remain below thresholds to avoid higher fees
- a key concern related to the balance between outline and reserved matters fees, with many respondents noting that outline applications now involve substantial upfront work that is not fully reflected in current or

proposed fees, while reserved matters applications can themselves be highly resource intensive

Government response

The government welcomes the support for simplifying the fee structure for outline, full and reserved matters applications for residential and non-residential development. However, we recognise that there is opportunity to go further so that the fees adequately reflect the complexity of outline and reserved matters applications, particularly for phased developments.

We intend to take forward the proposed changes through regulations in the summer. This will include removing baseline fees to support clearer and more straightforward fee calculation and adjusting residential thresholds from 50 to 49 dwellings. We will monitor how the revised structure operates in practice and consider whether further changes are needed as part of our wider programme of structural fee reform.

Question 4

What further changes, if any, do you think should be made to the structure of fees for outline, full and reserved matters applications?

In your response, you may wish to comment on:

- whether a more simplified banding structure would be preferable to increments per unit or per area
- how fees could better reflect varying site characteristics or levels of complexity
- whether the current approach to mixed use development fees should be simplified
- how fees should operate for large multi-phase developments, including whether it remains appropriate to have maximum fee levels or caps for reserved matters applications
- whether an additional band or higher fee should apply to applications requiring EIA

Please provide evidence where possible.

Summary of responses

There were 127 substantive responses to this question, including 71 from local planning authorities, the largest respondent group, 18 from developers and landowners, 17 from professional and industry bodies, 8 from planning professionals, and a small number from businesses, voluntary organisations and other respondents.

Key points raised in response to this question include:

- a prominent view, particularly among local planning authorities, was that applications requiring Environmental Impact Assessment (EIA) generate significantly greater costs and should attract higher fees or a distinct fee band
- some respondents supported removing maximum fee caps for large or multi-phase developments, arguing that caps can lead to under-recovery of costs where applications require substantial and repeated input. However, some respondents emphasised that caps provide applicants with certainty and should be retained
- many respondents agreed that fees should better reflect variation in scale and complexity. While basing fees on site characteristics was seen as potentially more accurate, most respondents considered this would be difficult to administer in practice and could introduce subjectivity and dispute

Government response

The government is grateful for the comments received. We recognise concerns about how fees reflect complexity, particularly for EIA development and large or multi-phase schemes. We also note differing views on fee caps, with some emphasising cost recovery and others valuing certainty for applicants. We will consider these issues further as part of our wider programme of structural fee reform, including the introduction of local fee-setting powers, which will provide greater flexibility for local planning authorities to reflect local costs.

Question 5

Do you support the proposed changes to the fee structures for applications for agricultural development as set out in the proposed National Default Fee Schedule?

Summary of responses

103 respondents answered this question. 49 respondents (48%) supported the proposed changes to fee structures for applications for agricultural development, 10 respondents (10%) did not support the changes and 44 (43%) were unsure. Support was higher among local planning authorities (55%), while developers and landowners were mostly unsure (57%) or opposed (29%), with limited support (14%).

Key Points raised in response to this question include:

- respondents in support of the proposals welcomed the simplification of the fee structure which would provide greater clarity for applicants and local planning authorities. The proposed fees were also seen as more reflective of local planning authority processing costs
- a small number of respondents considered that the fees were too high and would put additional financial pressures on the farming sector which was already facing economic challenges
- of those unsure, many respondents indicated the question was not applicable or that they lacked experience of agricultural development
- some respondents emphasised the need for improved local planning authority performance, including greater awareness of agricultural issues

Government response

The government recognises that while only around half of respondents supported the proposals, there was minimal opposition, and a significant proportion of respondents were unsure due to limited experience of agricultural development. The government intends to implement the proposed changes to the fee structure and increase fees for applications for agricultural development, through regulations in the summer.

We will keep these fees under review, including their impact on the farming sector, as part of a wider programme of structural fee reform, which would be taken forward through future regulations.

Question 6

Do you support the proposal that Permission in Principle (PiP) applications should attract a flat fee for 2 bands?

- PiP applications for developments of up to 9 dwellings
- PiP applications for developments of 10 to 49 dwellings

Summary of responses

119 respondents answered this question. (49; 41%) supported the proposal, 33 (28%) disagreed and 37 (31%) were unsure. Views among local planning authorities were mixed, with equal proportions (24; 35%) supporting and opposing the proposal and 21 (30%) unsure. Support was higher among developers and landowners, with 8 (57%) agreeing, 2 (14%) disagreeing and 4 (29%) unsure.

Key points raised in response to this question include:

- respondents who supported the proposed two-banded structure considered it simple and transparent, broadly reflecting the differences between smaller and medium-scale development. However, others argued that two bands would not adequately capture variation
- a range of alternative fee structures were proposed, including per-dwelling charges, retaining an area-based approach, or aligning fees more closely with outline or full applications. Some respondents also emphasised that combined PiP and Technical Details Consent fees should not exceed the cost of a full planning application

Question 7 (a)

Do you agree with the proposed fee level for PiP applications for:

- developments of up to 9 dwellings - £825?

Question 7 (b)

Do you agree with the proposed fee level for PiP applications for:

- developments of 10 to 49 dwellings - £3,150?

Summary of responses

108 respondents answered Question 7(a). Views were split broadly equal, with 35 (32%) agreeing with a PiP fee of £825 for up to 9 dwellings, 38 (35%) disagreed and 35 (32%) were unsure.

111 respondents answered Question 7(b). Of these 33 (30%) agreed that the fee for PiP applications for developments of 10 to 49 dwellings should be £3,150, 43 (39%) disagreed and 35 (32%) were unsure.

Key points raised in response to these questions include:

- in relation to a PiP fee of £825 for up to 9 dwellings, those in support considered the fee to be reasonable and proportionate to establishing the principle of development. However, a larger group, particularly local planning authorities, considered the fee too low relative to the work involved. A small number considered the fee too high when combined with the costs of Technical Details consent
- in relation to a PiP fee for developments of 10 to 49 dwellings, a small number of respondents supported the proposed fee, considering it broadly proportionate to the in-principle nature of PiP applications. However, a larger group, predominantly local planning authorities, considered the fee too low given the scale of development and associated assessment requirements

Government response

The government welcomes the range of views expressed across Questions 6, 7(a) and 7(b). While we recognise the concerns raised about moving from an incremental area-based fee structure to a flat-fee, we consider that a simple and clear fee framework is important for PiP applications, which are intended to provide a proportionate route to establishing the principle of development. We will therefore introduce a flat fee for structure for PiP applications of up to 9 dwellings, with a fee set at £825 in regulations this summer.

In relation to PiP development of 10 to 49 dwellings, the government recognises that while there was some support, there was greater opposition to the proposed fee level, with many local planning authorities considering the fee to be too low. As the proposal to extend PiP was made as part of the consultation on the draft National Planning Policy Framework (NPPF),

the government will set out its response on this issue as part of its wider response to the PIP proposals in the NPPF consultation response.

Question 8

Do you think the three-band fee structure currently used for section 73 applications remains appropriate?

Summary of responses

138 respondents answered this question. 61 (44%) agreed that three-band fee structure currently used for section 73 applications remained appropriate, 53 (38%) disagreed and 24 (17%) were unsure. Over half of local planning authorities (40; 56%) disagreed, with 22 (31%) agreeing. In contrast, developers and landowners showed strong support, with 15 (75%) agreeing and 4 (20%) disagreeing.

Key points raised in response to this question include:

- respondents who supported retaining the three-band structure, noted that it provides clarity and proportionality, helps avoid disputes over the applicable fee, and broadly reflects the level of assessment and consultation required
- a significant number of respondents, predominantly local planning authorities, considered that the fees are too low and do not adequately reflect the resources required to determine applications, particularly more complex cases such as minerals and waste. Some authorities noted that the householder fee is insufficient
- a small number of respondents, none of whom were local planning authorities, considered fees too high for minor amendments. Concerns focused on the potential to discourage scheme improvements and instances where the non-major section 73 fee would exceed the equivalent full application fee
- many respondents called for greater flexibility, particularly for major development, suggesting that fees should better reflect the scale and complexity of proposals. This included aligning fees with full applications where floorspace or dwellings are increased, introducing additional bands, or applying proportionate or percentage-based approaches
- a range of alternative approaches were proposed, including introducing additional or sub-bands (for example to distinguish minor changes), applying fees based on a percentage of the original application fee, or

charging per condition rather than per application to better reflect the work involved

- across responses, there was a consistent emphasis on the wide variation in section 73 applications and the difficulty of capturing this within a simple banded structure

Government response

The government welcomes the views expressed. While we recognise that a banded structure cannot capture all variations in section 73 applications, it does provide certainty and clarity for applicants and local planning authorities, as well as providing a reasonable contribution to the costs of local planning authorities.

We note concerns that the proposed fee for non-major s73 applications (£825) could exceed the equivalent full application fee in some cases. We have therefore decided not to increase this fee, which will remain at £608.

We do not consider this the appropriate time to introduce additional or more granular fee bands. However, we will keep the structure under review to ensure it remains fair and reflects the costs and complexity of applications and make adjustments where necessary in the future.

Question 9

Should section 73 and section 73B applications be charged using the same fee structure?

Summary of responses

136 respondents answered this question. 77 (57%) agreed that section 73 and section 73B applications should be charged using the same fee structure, 31 (23%) disagreed and 28 (21%) were unsure. Over half of local planning authorities (41; 57%) agreed, while 22 (31%) disagreed. Support was higher among developers and landowners, with 14 (67%) agreeing and 3 (14%) disagreeing.

Key points raised in response to this question include:

- the majority of respondents supported applying the same fee structure to section 73 and section 73B applications, noting this would provide clarity and consistency, reduce complexity, and avoid creating incentives to use one route over another based on cost rather than planning merits. Some also considered that the level of assessment required would often be comparable
- some respondents, predominantly local planning authorities, considered that section 73B applications should attract higher fees. This reflected concerns that the broader scope for material variations could result in more complex cases and greater resource demands. Some suggested retaining the same overall structure but applying an uplift or additional band for section 73B applications
- a smaller number of respondents, including some developers, considered that section 73B fees should be lower, on the basis that such applications must not be ‘substantially different’ from the original permission and may therefore be less complex
- some respondents noted the difficulty in forming a firm view given section 73B has not yet been implemented, and that monitoring will be needed to understand its cost implications. They also highlighted the need for clear guidance on scope of section 73B applications and for fees to be reviewed following implementation

Government response

The government welcomes the overall support for applying the same fee structure to section 73 and section 73B applications, which will provide clarity and maintain consistency between two similar application routes.

We recognise that some uncertainty remains given that section 73B has not yet been implemented. However, a fee structure is required at the point of introduction and, based on the available evidence, we consider it appropriate to apply the same structure as for section 73. We will keep section 73B fees under review as evidence emerges, including to ensure that fees remain proportionate and provide an appropriate level of cost recovery.

Question 10

Do you think the fee for discharging conditions should be charged per condition rather than per application?

Summary of responses

There were 148 responses to this question. Of these, 87 respondents (59%) supported charging per condition, 42 (28%) opposed, and 19 (13%) were unsure. local planning authorities were overwhelmingly supportive (91%), while developers were largely opposed (75%).

Key points raised by respondents include:

- a majority of respondents (59%) supported charging per condition rather than per applications, with support driven largely by local planning authorities. Proponents argued this would better reflect the greater workload involved in discharging multiple conditions and would support cost recovery. It would also improve efficiency by reducing the need for multiple discharge applications
- the main concerns of opponents, particularly developers, related to higher costs and potential unintended effects, including the risk of additional conditions being imposed by local planning authorities, leading to more applications and potential delays
- some respondents suggested alternative approaches, including banded fee structures based on the number of conditions and the introduction of performance measures to ensure improved outcomes

Government response

The government recognises the significant resource demands associated with discharging conditions and that this can contribute to delays in the commencement of development.

While there was notable support for a per-condition fee, particularly among local planning authorities, we also recognise concerns regarding costs and risk of unintended impacts on applicants. As part of the fee increases to be introduced in the summer, we will retain the existing fee structure to enable an immediate uplift, increasing fees for discharge of condition applications to £125 for householder development and £435 in any other case.

We will continue to consider the case for a per-condition charging model as part of wider structural fee reform, including whether alternative approaches (such as banded fees or other mechanisms) could better support cost recovery and improve performance.

Question 11

Should applications for the approval of biodiversity gain plans be subject to a separate fee to reflect the specific work involved?

Summary of responses

There were 143 responses to this question. Of these, 71 respondents (50%) supported introducing a separate fee for the approval of biodiversity gain plans, 50 (35%) opposed, and 22 (15%) were unsure. Local planning authorities were broadly supportive (74%), while developers were strongly opposed (82%).

Key points raised by respondents include:

- support, driven largely by local planning authorities, reflected the view that a separate fee would better reflect the specialist workload and costs associated with assessing biodiversity gain plans, including the need for ecological expertise
- opponents, particularly developers, argued that biodiversity gain plans are comparable to other technical conditions and should be covered by existing discharge fees
- views on the proposed £435 fee were mixed, with some supporting it as proportionate and others suggesting higher fee levels, ranging from £500–£1,200 to reflect variation in complexity. Some respondents indicated limited evidence to propose an alternative

Government response

The government recognises that the approval of biodiversity gains plans is a statutory requirement for many developments and involves additional resource for local planning authorities and specialist input, including ecological expertise.

Having considered the responses, as part of the fee increases to be introduced in the summer, we will retain the existing fee structure to enable an immediate uplift. This means that applications to approve biodiversity gain plans will remain within the general category for discharging conditions,

with the fee increased to £435. We will, however, consider this issue further as part of wider structural fee reform.

Question 12

Do you have an alternative suggestion on how the fee structure for discharge of conditions could be improved?

Summary of Responses

There were 89 responses to this question. Local planning authorities provided the largest share (47 respondents), followed by developers (14) and professional associations/industry representatives (9).

Key points raised by respondents include:

- the most common suggestion, particularly from local planning authorities, was the introduction of fee bands based on complexity, for example lower fees for simpler householder conditions and higher fees for more complex conditions associated with major development. This was seen as better reflecting workload and supporting more efficient decision-making
- a further suggestion was to charge per condition rather than per application, on the basis that this would align more closely with the work required and improve efficiency by reducing the need for multiple applications
- respondents also proposed banded fees based on the number of conditions, with lower fees for a small number of conditions and higher fees where a large number are submitted, to better reflect workload and improve fairness
- respondents also suggested that the development of model conditions at a national level would distinguish simple and complex conditions and help local planning authorities to discharge conditions more quickly

Government response

The government recognises the significant resource demands associated with discharging conditions and their contribution to delays in the commencement of development. As set out in the response to Question 10, we will keep these options under review as part of wider considerations of

structural fee reform, including whether alternative charging approaches could better reflect workload, support cost recovery and improve performance.

Question 13

Do you support the proposal to apply a flat fee of £310 for all other existing prior approval applications that are currently free of charge as well as the proposed prior approval under Class B of Part 15 (if brought forward)?

Summary of responses

There were 123 responses to Question 13. Of these, 81 respondents (66%) answered “Yes”, 20 (16%) answered “No”, and 22 (18%) were unsure. Local planning authorities were largely supportive: 56 of 73 responses (77%) answered “Yes”, 11 (11%) answered “No”, and 6 (8%) were unsure. Developer and landowner responses were more mixed but not opposed in principle, with no respondents selecting “No”.

Key points raised in response to this question include:

- the overall balance of responses was supportive of introducing fees for currently free prior approval applications, including the proposed prior approval for the installation or replacement of larger electrical substations under Class B of Part 15 (if implemented). Many respondents, particularly local planning authorities, were clear that all prior approval applications require local planning authority resource and therefore should not remain unfunded. Developer and landowner respondents were also broadly supportive in principle but emphasised that fees should be accompanied by improvements in performance, particularly timeliness and efficiency
- the main concern related not to the principle of charging, but to the use of a single flat fee across most prior approval types. While some respondents recognised the benefits of simplicity and consistency, many highlighted that prior approvals can vary in complexity and workload, and that a flat fee may not adequately reflect these differences. A common suggestion was to introduce tiered or banded fees to better align with complexity and actual costs
- in relation to the proposed fee of £310, most respondents considered it broadly proportionate to the level of work involved. However, some local planning authorities considered it too low, particularly for more complex cases. Some respondents also compared it with the £760 fee for

electronic communications prior approvals, suggesting that this higher fee may not be proportionate

- respondents emphasised the importance of keeping prior approval fees under review to ensure they remain proportionate and reflective of actual workload. It was suggested that, where there is consistent under- or over-recovery, the fee structure should be adjusted accordingly

Government response

The government recognises the resource demands that prior approval applications place on local planning authorities. We therefore intend to introduce a flat fee for all prior approval applications that are currently free. This fee would become the default fee for new types of prior approval application which may be introduced in the future. This would include prior approvals for the installation or replacement of larger electrical substations in certain protected landscapes under Class B of Part 15, which the government has committed to taking forward.[footnote 1] A flat fee represents a reasonable and proportionate contribution towards the costs incurred by authorities in processing these applications, while also providing simplicity and consistency across the regime.

We note concerns that a single flat fee may not reflect the variation and complexity between prior approvals and also the difference between the proposed £310 fee and the £760 fee for electronic communications prior approvals. The higher fee for these cases reflects their greater complexity, including the assessment of siting, design, and potential visual and environmental impacts. The process is more involved than ‘lighter-touch’ prior approvals and therefore the higher fee is considered to be proportionate to the work involved.

We do, however, recognise the importance of ensuring fees remain proportionate over time. We will therefore continue to keep prior approval fees under review, making adjustments where evidence indicates under- or over-recovery of costs.

Question 14

Do you agree with the proposed fee for Certificate of Appropriate Alternative Development (CAAD) applications of £964?

Summary of responses

There were 110 responses to this question, including 71 local planning authorities, the largest respondent group, and 9 developers and landowners. Overall views were mixed, with 49 respondents (44.5%) supported the £964 fee, 12 (11%) opposing it, and 49 (44.5%) unsure.

Key points raised by respondents include:

- views were mixed overall, with broadly equal proportions supporting the proposed fee and expressing uncertainty
- support was generally based on the view that the fee is proportionate and better reflects the complexity and resource requirements of determining Certificate of Appropriate Alternative Development (CAAD) applications
- some respondents considered the fee too low or insufficiently flexible, suggesting higher or scalable approaches to reflect variation in case complexity
- uncertainty, reflected in the high proportion of “unsure” responses, was due to limited experience with CAAD applications or insufficient evidence on whether the proposed fee reflects actual costs

Government response

The government notes the mixed views expressed, but that the high level of uncertainty reflects the limited experience of respondents with CAAD applications. Having considered the responses received, we intend to increase the national fee of £946 for CAAD applications, alongside other national fee increases, through regulations.

Question 15

Do you support the introduction of a new national default fee for section 106A applications?

Summary of responses

137 respondents answered this question. There was considerable support for the introduction of a new national default fee for section 106A applications, with 99 respondents (72%) selecting “Yes” and just 16 (12%) selecting “No”. Support was particularly strong among local planning authorities (91% in favour), while developers and landowners were more mixed (47% in favour; 29% opposed).

Key points raised in response to this question include:

- there was considerable overall support for introducing a national default fee for formal applications to modify or discharge section 106 obligations, particularly from local planning authorities, although views among other stakeholder groups were more varied. This builds on some discretionary fees already being charged by some local planning authorities
- concerns mainly focused on ensuring any proposed fee is proportionate to the work involved in section 106A applications, including that required for issuing written notices and assessing deeds of variation, making sure that the fee adequately recovers costs and is supported by a clear evidence base to reflect the work required
- there were varying views on suggested methodologies for a fee structure. There were suggestions of a flat fee, a banding structure based on scale of development (e.g. minor/major), or approaches linked to the complexity of the application or number of obligations. There were also suggestions of two-part fees to reflect both the planning and legal components of section 106A applications

Government response

The government notes the considerable support in principle for a national default fee, particularly among local planning authorities. However, views highlighted the need for a clear, proportionate fee structure that reflects application complexity, particularly where legally intensive activities are pursued later in the section 106A application process, and therefore ensures the fee adequately recovers costs and retains flexibility at the local level.

We welcome the feedback received and will take these into account as we develop these proposals further. While these measures will not be taken forward through the forthcoming regulations to implement fee increases this summer, they will be considered as part of a wider review of the statutory framework for modifying or discharging existing planning obligations, and a wider programme of structural fee reform to be brought forward through future regulations.

Question 16

Are there any other existing fee categories not mentioned above that you believe would benefit from restructuring?

Summary of responses

There were 131 respondents to this question. Of these, 47 (36%) considered that other fee categories would benefit from restructuring, 57 (44%) did not, and 27 (21%) were unsure. Among the 47 respondents who answered ‘yes’, the response base was dominated by local planning authorities (33 responses, 72%), with developers and landowners accounting for 2 responses (4%).

Key points raised in response to this question include:

- there was strong support for introducing fees for listed building consent and tree preservation order (TPO) applications, which currently carry no charge but place significant demands on local planning authorities. There was also support for charging for specialist and technical processes, including EIA screening and scoping, and the review of mineral permissions under Schedule 14 of the Environment Act 1995
- it was suggested that retrospective applications should attract a higher fee to reflect enforcement burdens and deter unauthorised development. Respondents also proposed reintroducing a ‘free-go’ for resubmissions, or alternatively a reduced fee (e.g. 50% of the original fee)
- some respondents suggested that advertisement fee structures should distinguish between digital and traditional formats, with higher fees for digital displays to reflect their greater impacts (e.g. light and visual pollution)
- respondents sought greater clarity on definitions of plant and machinery under Category 5 and the split between householder development under Categories 6 and 7. There were also suggestions to introduce a new category for minor works on non-residential sites (e.g. schools), as current site area–based fees (Category 11) can be disproportionate for small-scale development
- developer responses focused on solar and onshore wind schemes, where fees based on total site area are considered to be disproportionately high and not reflective of development complexity. It was suggested to align fees more closely with Planning Practice Guidance and base them on the footprint of operational equipment rather than the whole site

Government response

We note the support for introducing fees for listed building consent and TPO applications, and the recognition of the resource pressures these place on local planning authorities. However, we do not intend to introduce national fees for these applications as this reflects the strong public interest in conserving the historic environment and natural assets, and the need to avoid creating financial barriers that could deter appropriate management or increase the risk of unauthorised works. We will, however, keep this position under review.

We also note the range of suggestions on how existing fee categories could be restructured or clarified. While these will not be taken forward through the forthcoming regulations to implement fee increases this summer, we will consider them further as part of wider structural fee reform.

Planning fee surcharge for statutory consultees

Question 17

Do you agree with our working proposal that the planning fee surcharge should be in the region of 10% of the national default fee (subject to further policy development and consultation)?

Summary of responses

Out of 150 total responses, 57 (38%) agreed, 33 (22%) disagreed, and 60 (40%) were unsure, indicating a mixed view with most respondents either uncertain or expressing only conditionally support.

Local planning authorities (47% support) were generally supportive in principle, citing the need to improve consultee resourcing, while developers/landowners (30% support; 50% unsure) and planning professionals (10% support) were more cautious, raising concerns about

additional costs, fairness and viability. Across all groups, support was largely conditional on clear evidence of improved outcomes.

Key points raised by respondents include:

- a consistent theme was that any surcharge should be linked to measurable improvements in speed, quality and consistency of consultee responses, supported by clear and enforceable standards, monitoring, and mechanisms such as refunds or clawback where performance does not improve
- respondents highlighted uncertainty over the design and operation of the surcharge, particularly how it would be calculated, collected, distributed and ringfenced, and called for clear governance to ensure transparency and value for money
- many questioned whether a flat 10% surcharge would be proportionate, particularly where multiple consultees advise on a planning application. Some respondents suggested more targeted or flexible approaches aligned to the volume and complexity of planning applications that statutory consultees advise on
- respondents emphasised that funding alone would not resolve underlying inefficiencies and delays in the statutory consultee system and highlighted wider system pressures—such as Biodiversity Net Gain (BNG)—reinforcing the need for holistic planning reforms alongside any surcharge

Government response

We welcome the range of views expressed and will take these into account as we develop the policy further. We intend to undertake a more detailed consultation later in the year on the design and implementation of any planning fee surcharge, including how it could be targeted, administered and support statutory consultee performance.

Local Fee Setting

Question 18

Do you have any comments on how local fee setting will operate? In particular, is there any additional information that you would wish to see covered through guidance?

Summary of responses

There were 147 substantive responses to this question, including 70 from local planning authorities, 33 from developers and landowners, and a range of other professional and representative bodies.

Key points raised by respondents include:

- local planning authorities were broadly supportive of local fee setting, as a means of addressing funding shortfalls. Many sought greater clarity on the scope of costs that could be recovered and flexibility to support related functions such as enforcement and plan-making
- developers, landowners and businesses emphasised the need for clear, transparent evidence to justify locally set fees, and raising concerns about impacts on viability and the potential for regional disparities. Some suggested intervention where higher fees are not matched by improved performance
- a consistent theme across all groups was the need for clear national guidance on establishing cost bases, evidencing and justifying fees, and ensuring consistency. Respondents suggested standard methodologies, templates or a national calculator to reduce complexity and risk of challenge
- local planning authorities highlighted the administrative burden of developing and maintaining local fee schedules, including data collection, consultation, transparency and regular review, and sought clarity on requirements and proportionality
- respondents sought clarity on eligible costs, including whether fees should be limited to staff time and overheads or could extend to specialist advice and related functions supporting decision-making

Government response

The government recognises that local fee setting will need to be supported by clear national guidance, including on evidencing costs, ensuring transparency, and defining the scope of fees. This will include greater clarity

on the services that may be covered. We also acknowledge concerns about potential regional disparities and the administrative burden for local planning authorities.

We are working with the Planning Advisory Service to develop standard methodologies, guidance and toolkits to support local planning authorities and promote national consistency. The Secretary of State will have powers to intervene where local fees are set unreasonably high or low. We intend to introduce regulations setting out the framework for local fee setting, supported by detailed guidance for local planning authorities, before the end of the year.

We also recognise that higher fees must lead to improved performance. We will continue to monitor the speed and quality of local planning authority decision-making and will take action where performance does not meet expectations.

Question 19

Do you think local fee variations should be capped? If so, what level would be appropriate - 15%, 25% of the national default fee, or another figure?

Summary of responses

There were 149 responses to this question, including 76 from local planning authorities and 21 from developers and landowners. Overall, views were mixed, with 72 respondents (48%) favouring a cap, 54 (36%) opposed it and 23 (15%) were unsure. There was a clear split between groups with local planning authorities largely opposed (57%), while developers and landowners were more supportive of a cap, particularly at 15% (52%). Of the 72 respondents who supported a cap, 30 (42%) supported a 15% cap,15 (21%) supported a 25% cap and 27 (37%) supported an alternative level.

Key points raised in response to this question include:

- on balance, respondents, particularly local planning authorities, were against a cap, arguing that it would undermine the objective of local fee setting and cost recovery, especially as there are already provisions in place requiring authorities to justify their fees. It was also argued this would perpetuate the issue of some fees remaining below recovery levels

in certain parts of the country if a cap was linked to the National Default Fee Schedule

- developers and applicants were more supportive of a cap, primarily to provide cost certainty and limit the risk of excessive fee increases, with 15% most commonly seen as an appropriate upper bound. It was also suggested that a cap should be higher or operate as a trigger for possible intervention rather than a fixed ceiling
- among those suggesting alternatives or were unsure, some suggest a cap set at a lower level while others suggested a more flexible approach, including varying caps by geography, for example more flexibility for London boroughs, or by application type to reflect differences in cost, complexity and demand

Government response

Respondents expressed a range of views on whether local fee setting should be subject to a cap. Those in favour generally considered that a cap would provide greater certainty and consistency for applicants, while those opposed argued that it could restrict local flexibility and the ability of planning authorities to recover their costs.

Having considered the consultation responses, the government considers that local planning authorities should be able to set planning fees up to a maximum of 30% above the national default fee, where this is justified by evidence. The government considers that this strikes an appropriate balance between supporting local flexibility and cost recovery, while providing applicants and developers with greater certainty about the extent of local fee variation.

The government recognises that a small number of authorities may face exceptional cost pressures that cannot reasonably be addressed within this limit. Where this is the case, the government intends to require local planning authorities to consult the Secretary of State and provide robust evidence to justify the proposed fee level.

The operation of the cap, including the use of the approval mechanism and intervention powers, would be subject to further policy development, and would need to be set out through future regulations.

Question 20

In the context of localised planning fees, what are your views on the future role of PPAs, pre-application advice and other discretionary charging regimes?

Summary of responses

There were 154 substantive responses to this question, including 78 from local planning authorities, the largest respondent group, 23 from developers and landowners, and 10 from businesses, alongside other professional and representative bodies.

Key points raised in response to this question include:

- there was broad support for the continued role of discretionary services such as pre-application advice and Planning Performance Agreements (PPAs), which were widely seen, particularly by local planning authorities, as facilitating collaboration and supporting the delivery of complex schemes. However, respondents across all groups emphasised that, while PPAs add value, they should not substitute for an effective statutory planning service
- local planning authorities strongly supported retaining discretionary charging and emphasised that these services should continue to operate separately from the statutory planning application service. Respondents noted that application fees do not cover these services, and that discretionary charging plays an important role in resourcing wider planning functions
- the Greater London Authority also emphasised their reliance on discretionary charging to fund planning services. They highlighted the importance of maintaining flexibility to charge for services such as pre-application advice and call-in cases, particularly where they do not benefit directly from planning application fees
- developers and businesses were more mixed in their views, with some questioning whether higher application fees should reduce reliance on PPAs for securing basic service levels, while others recognised their value for complex proposals. Calls were made for greater standardisation, consistency and service guarantees

Government response

The government recognises the important role that PPAs and other discretionary services, including pre-application advice, play in supporting effective engagement and the delivery of complex development. We also note applicants' concerns about additional costs, and the expectation that any additional fees should result in consistent, high-quality service delivery.

The government is clear that we have no intention of limiting the ability of local planning authorities to offer discretionary services, including PPAs. These services can provide clear benefits to applicants, including bespoke timetables, dedicated resource and enhanced project management, particularly for more complex schemes.

The government also recognises that the Greater London Authority plays a distinct role in determining some of the largest and most complex schemes and may rely more heavily on PPAs and other discretionary charging to resource these functions. Other strategic authorities will also gain similar powers in future as part of our devolution reforms. We are clear that such authorities should be able to recover the costs of these services through appropriate discretionary fees, including for pre-application advice and call-in cases.

Fees for PPAs and discretionary services should not exceed the cost of providing them. We expect local planning authorities to be transparent about the basis of these charges, including clearly setting out the additional services being provided beyond the statutory planning service.

We recognise that greater consistency and clarity would improve confidence in these services. We will therefore set out further expectations in national guidance, including on transparency of costs and good practice in delivery.

Public Sector Equality Duty

Question 21

Do you have any views on how the proposals in this consultation might affect you, the group or business you represent, or others – particularly those with protected characteristics?

Summary of responses

80 respondents provided views in response to Question 21 on the implications of the consultation proposals.

Key points raised in response to this question include:

- higher or localised fees may place greater burden on SMEs, community groups, and organisations supporting vulnerable or protected groups, potentially restricting access to development opportunities
- variations in fee-setting and resourcing could deepen disparities between better and less resourced local planning authorities
- respondents highlighted that current planning frameworks may not adequately consider certain groups—particularly children and, in some cases, Travellers—who may be disproportionately affected by planning outcomes
- respondents also emphasised the importance of retaining existing fee exemptions, for example to provide disabled access, and to monitor impacts over time to avoid unintended discrimination

Government response

We are grateful for the responses that provided views on any potential implications of the proposed changes on people with protected characteristics and on business. The government has acknowledged the responses to this question and has taken them into consideration in considering the impacts of the proposed changes on those who share protected characteristics.

Next steps

The government intends to take forward regulations to increase planning application fees in the summer, with the aim of bringing these into force before the end of the year, subject to Parliamentary approval.

Further structural reforms to planning fees, and the detailed design and operation of local fee setting, will be taken forward through separate regulations, which we also intend to bring forward by the end of the year.

We recognise the importance of clear national guidance to support the introduction of local fee setting. The views provided through this consultation will inform the development of that guidance, including on

evidencing costs, ensuring transparency and promoting consistency across authorities.

We will also undertake a further consultation before the end of the year on the detailed design and implementation of the proposed planning fee surcharge, including how it should operate in practice and be linked to improved performance of statutory consultees.

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1. Electricity network infrastructure: consents, land access and rights - GOV.UK (https://www.gov.uk/government/consultations/electricity-network-infrastructure-consents-land-access-and-rights).

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