

APPENDIX A

Liveable Exeter Placemaking Charter and pre-application charges

Consultation Statement

Consultation dates: 15 January 2024 – 25 February 2024

1. Introduction

In the recent consultation aimed at gathering stakeholder feedback on the proposed scales of fees for different levels of pre-application planning advice and the relevance of the Exeter Placemaking Charter principles, a series of questions were presented to seek engagement from an array of respondents. The consultation solicited stakeholders' perspectives on the reasonableness of the proposed fee scales, asking them to evaluate whether these were very reasonable, somewhat reasonable, not very reasonable, or not reasonable at all. Additionally, stakeholders were invited to assess the relevance of the principles outlined in the Exeter Placemaking Charter to their interests or concerns, providing valuable insights into community alignment with the Charter's objectives.

2. The Consultation

The consultation took place between 15 January 2024 and 25 February 2024. This period complied with the six weeks required by the Council's Consultation Charter.

The consultation targeted a group of stakeholders which included:

- Developers
- Planning agents
- Landowners
- Architects
- Urban designers
- Community groups
- Business groups
- Other relevant professional bodies

This targeted approach was chosen for several reasons:

1. Expertise and Impact: The selected groups directly influence the quality, sustainability, and feasibility of developments within Exeter. Engaging these stakeholders ensures that the consultation benefits from specialised knowledge and practical insights into the planning, design, and execution of development projects.

2. Collaborative Placemaking: By focusing on those who play a significant role in shaping Exeter's built environment, the consultation aimed to foster a culture of collaboration and shared responsibility. This aligns with the Charter's objective of

achieving high-quality, sustainable design and placemaking through cooperative efforts.

3. Practical Implementation: The consultation sought to gather actionable feedback on the Charter's aims, proposed commitments, and the introduction of new tools and processes, such as design review planning, performance agreements, and the Developer's Forum. Targeting stakeholders directly involved in these areas ensures the feedback is grounded in practical experience and addresses real-world challenges.

4. Policy Alignment and Transparency: The targeted consultation helps to align the Charter's objectives with the needs and expectations of key stakeholders, ensuring that policies and practices are transparent, consistent, and conducive to achieving Exeter's Vision 2040.

5. Efficiency: A focused consultation allows for a more efficient and effective process, enabling detailed discussions and feedback from those most affected by the Charter and the introduction of charges for pre-application advice.

In summary, the targeted consultation was designed to ensure that the Liveable Exeter Placemaking Charter is practical, achievable, and reflects the priorities and concerns of those most integral to the city's development process. This approach aimed to build a strong foundation for the Charter's successful implementation, facilitating the creation of thriving, healthy, and socially active communities in line with Exeter's ambitious goals.

Responses to the consultation were invited online through Commonplace, the interactive online engagement platform that has been used by the Council for several other consultations. The option to email or post responses was also available.

The consultation was promoted through various means including:

- Emails to applicants and agents for all major planning applications received in the last three years.
- Promotion on ECC social media platforms.
- Fully accessible online consultation documents.

3. The Survey

The consultation primarily concentrated on the charging element of the Liveable Exeter Placemaking Charter, reflecting its status as the singular component necessitating formal approval by the City Council. Contrasting with the other elements of the Charter, which offer informal guidance, this aspect introduces a structured fee schedule for pre-application advice, a procedural change that directly impacts the Council's operational framework.

The consultation described the proposed charging structure includes three levels of service:

1. **Level 0 – Scoping (£300 + extras):** A one-hour officer meeting to discuss the principle of development, identify key issues, and advise on the appropriate route forward.

2. **Level 1 – Standard (£3,550 + extras):** Includes an unaccompanied site visit, site history, validation advice, presentation to the Planning Member Working Group, Design Review Panel (DRP) attendance, consultation with statutory consultees, identification of key policies, and up to three sessions with the case officer. Developers are invited to present proposals to DRP, which is subject to an additional set of fees.

3. **Level 2 – PPA (Bespoke):** A tailored Planning Performance Agreement (PPA) offer designed to match the project's merits and issues. The approach to PPA design is detailed in the Exeter Design Quality Partnership Charter.

The remaining dimensions of the Charter are designed to enhance collaborative efforts with developers, architects, and other key industry stakeholders, aiming to elevate the quality and sustainability of developments in Exeter. These collaborative endeavours are supplementary to the Council's statutory responsibilities to process planning applications and engage in public consultations. These foundational responsibilities remain intact, ensuring that the Council continues to fulfil its regulatory roles while striving to facilitate better developmental outcomes through improved stakeholder interaction.

The consultation asked six questions:

1. How suitable do you feel the proposed scales of fees are for the different levels of pre-application planning advice offered? The fees proposed seem...
 - Very unreasonable
 - Somewhat unreasonable
 - Neither reasonable nor unreasonable
 - Somewhat reasonable
 - Very reasonable

2. What impact do you think introducing charges for pre-application advice will have on the service you receive? I think the service will become...
 - Much lower quality
 - Slightly lower quality
 - Around the same quality
 - Slightly higher quality
 - Much higher quality

3. How likely are you to pay for pre-application advice based on the proposed fees?
 - Very unlikely
 - Somewhat unlikely
 - Neither likely nor unlikely
 - Somewhat likely

- Very likely

4. What could potentially prevent you from wanting to pay for the Council's pre-application advice service?

5. If charges are introduced, when seeking pre-application advice, would you be more or less likely to go straight to making a planning application?

- Much more likely
- Slightly more likely
- No more or less likely
- Slightly less likely
- Much less likely

6. Do you have any other comments about the proposals for charging for pre-application planning advice or other aspects of the Charter?

These questions were designed to elicit feedback on the proposed fee structure for pre-application advice, the perceived value and impact of such charges, and the broader implications for the planning process and stakeholder engagement.

4. Response overview

Including three anonymous contributions, there were a total of twelve responses to the consultation. This figure encompasses all feedback received, reflecting the engagement of both identified and anonymous stakeholders.

5. Summary of responses

5.1 Question 1: the suitability of proposed scales of fees

The responses to Question 1, concerning the suitability of proposed scales of fees for different levels of pre-application planning advice, are summarised as follows:

- Very reasonable: Received no responses.
- Somewhat reasonable: Received 1 response.
- Neither reasonable nor unreasonable: Received no responses.
- Somewhat unreasonable: Received 5 responses.
- Very unreasonable: Received 4 responses.

This distribution indicates a trend towards viewing the proposed fee scales as less favourable, with a significant majority of respondents categorising the fees as either somewhat unreasonable (5 responses) or very unreasonable (4 responses). Only a single respondent considered the fees to be somewhat reasonable, while no respondents found the fees to be very reasonable or neither reasonable nor unreasonable. This feedback suggests a critical perception of the fee scales among the stakeholders who participated in the consultation.

5.2 Question 2: Perceptions on change in the quality of service

Question 2 concerned stakeholders' perceptions on whether the introduction of charging would lead to a change in the quality of service. The responses are summarised as follows:

- Much higher quality: two respondents believed that the introduction of charging would lead to a much higher quality of service.
- Slightly higher quality: two respondents felt that the quality of service would be slightly higher with the introduction of charging.
- Around the same quality: four respondents anticipated that the quality of service would remain around the same following the introduction of charging.
- Slightly lower quality: No respondents thought that the quality of service would be slightly lower due to charging.
- Much lower quality: two respondents believed the introduction of charging would result in a much lower quality of service.

This distribution indicates a mixed perception among stakeholders about the impact of charging on service quality. While an equal number of respondents anticipate improvements (either much or slightly higher quality) and a decline (much lower quality) in service quality, a plurality believe that the introduction of charging will not change the service quality significantly.

The content of the image shows the question "Q3. How likely are you to pay for pre-application advice based on the proposed fees?" and an indication that part of the responses includes the option "Very likely to pay".

5.3 Question 3: The likelihood of paying for pre-application advice.

The responses to Question 3, regarding the likelihood of respondents paying for pre-application advice based on the proposed fees, are summarised as follows:

- Very likely to pay: 2 respondents indicated they are very likely to pay for pre-application advice.
- Somewhat likely: one respondent felt somewhat likely to pay for the advice.
- Neither likely nor unlikely: two respondents were neutral, feeling neither likely nor unlikely to pay.
- Somewhat unlikely: one respondent was somewhat unlikely to pay for pre-application advice.
- Very unlikely: four respondents indicated they are very unlikely to pay for the advice.

These responses suggest that there is a greater inclination among respondents to be unlikely to pay for pre-application advice based on the proposed fees, with a total of five respondents expressing some degree of unlikelihood versus three who are likely to some degree, and two with a neutral stance.

5.4 Question 4: What could potentially prevent respondents from wanting to pay.

Question 4, regarding what could potentially prevent respondents from wanting to pay for the Council's pre-application advice service, elicited the following responses:

- As I would only be likely ever to make a householder's application, the charge is too high.
- It should be clear whether the fees apply to householders wanting to plan an extension, or only for large-scale developments. If the latter, then what is the definition for allocating the two categories. There needs to be a category between level 0 level 1 particularly for small-scale developments.
- Any uncertainty on officer resourcing and timescales for the response may affect take-up. If charging is introduced, it must be supported by a clear framework setting out timescales and what is covered by the different service levels.
- Disproportionate fees.
- Leading times, officer allocated to case, quality of advice received, availability of other independent panels with lower fees.
- Slow service or poor engagement with the issues and submitted pre-app drawings/details.
- Slow service. Poor engagement with the issues under consideration.
- Money.
- As someone who has worked in this field, I am concerned that developers will simply bypass this stage and try to find low/no-cost workarounds.
- If the Council does not live up to the in-depth review that is promised. And people find that it takes many months to get a response which does not provide the clarity it initially claimed to give.

These responses reflect concerns about the cost relative to the scale and type of development, the clarity of the charging structure, the quality and efficiency of the service, and the potential impact on the behaviour of developers regarding pre-application engagement.

5.5 Question 5: Whether respondents would be more or less likely to go straight to making a planning application.

The responses to Question 5, regarding whether respondents would be more or less likely to go straight to making a planning application if charges for pre-application advice are introduced, can be summarised as follows:

- Much more likely to go directly to the Council: two respondents indicated they would be much more likely to go directly to making a planning application.
- Slightly more likely to go directly: No respondents indicated they would be slightly more likely.
- No more or less likely: two respondents felt there would be no change in their likelihood of going directly to making a planning application.

- Slightly less likely: two respondents would be slightly less likely to go straight to making a planning application.
- Much less likely: four respondents indicated they would be much less likely to go directly to the Council for a planning application.

These responses indicate a tendency among participants to be less likely to seek pre-application advice if charges are introduced, with a total of six respondents indicating they would be either slightly or much less likely to engage with the Council directly for a planning application.

5.6 Question 6: Any other comments about the Charter or the introduction of pre-app charging

Question 6 invited any other comments about the Charter or the introduction of pre-app charging. It elicited the following responses (summarised):

- Concerns were raised about the consultation's focus being limited to charging for pre-application advice, which may not cover broader aspects of the Exeter Placemaking Charter.
- A community group noted their lack of direct invitation to the consultation, which was discovered late, suggesting a need for more inclusive stakeholder engagement and notification processes.
- Questions were posed about whether there would be a more comprehensive consultation on the entire Charter and the sincerity of seeking feedback from community groups.
- An observation was shared from past Planning Committee meetings where developers criticised the pre-application advice when applications were refused, indicating an expectation for approval following such advice.
- If the proposed charges for comprehensive advice are implemented, it is anticipated that there would be increased pressure on planning officers to ensure advice leads to approval, potentially shifting decision-making power away from Planning Committees and public consultation.
- Concerns about the role of ward councillors, the Planning Committee, and public consultation in the decision-making process were expressed, suggesting that the Charter might reduce these to a mere formality.
- Instances where the Planning Committee's decisions were upheld over officers' recommendations were cited, underscoring the value of elected members' input.
- The response highlighted a perceived discrepancy between the Council's stated commitments to community engagement and actual practices, with several examples indicating a lack of trust and collaboration with community groups.
- Recommendations were made for a more granular fee structure to reflect the diverse range of advice sought for different types and scales of development.

- Calls for improvements to the pre-application process were made, including enhancing officer capacity, authority, and response times if charges are to be introduced.

These points collectively suggest that while there is support for the principle of providing quality pre-application advice, there are significant concerns about the process, inclusivity, and the impact on the democratic and consultative aspects of the planning system. Respondents are advocating for clearer communication, meaningful community involvement, and a more nuanced approach to pre-application advice and charges.

5.7 Exeter Civic Society response

The Civic Society chose not to engage with the questions asked but responded in a letter which raised the following issues:

- **Enhanced Public Consultation:** The Civic Society considers that there should be broader public engagement in the Charter's development.
- **Scope of Developments:** The Charter's focus should be extended to include both large and small-scale projects.
- **Clarity and Detail:** There are clarity issues within the Charter which need to be addressed and more detailed planning frameworks should be provided.
- **Stakeholder Involvement:** Mechanisms for effective stakeholder engagement should be improved.
- **Pre-application Advice:** The proposal to charge for pre-application advice is supported with the caveat of increased transparency.
- **Community Engagement and Developer Forums:** The Civic Society calls for clear guidelines to foster community input and developer interaction.
- **Graphs and Definitions:** Revisions are suggested for clearer communication through visuals and terminology.
- **Integration of Community Feedback:** The need for the Charter to incorporate public opinions more effectively is emphasised.
- **Urban Development Complexities:** The necessity to address urban planning's complexities within the Charter is emphasised.

6. Commentary on responses

6.1 Fee Scales for Pre-Application Advice

- **Perceived Unreasonableness:** Majority view the proposed fee scales as unfavourable, with responses leaning towards "somewhat unreasonable" and "very unreasonable."
- **High Costs for Householders:** Specific concern about charges being too high for household applications.

- **Lack of Clarity in Charging Structure:** Uncertainty regarding fees application to household extensions versus large-scale developments and the absence of a middle category for small-scale developments.

Response: The consultation did not sufficiently communicate that the proposed charges are intended exclusively for major planning applications. Major developments, as defined for the purposes of these charges, include residential developments proposing ten or more dwellings, developments on sites of 0.5 hectares or more when the number of dwellings is unknown, developments resulting in the creation of 1,000 square metres or more of floorspace, developments on sites exceeding 1 hectare, and changes of use encompassing over 1,000 square metres. No fee for pre-application advice will be charged to individual householders and smaller-scale developers.

In addressing the concerns raised regarding the fee scales, it is important to highlight that the levels of fees were determined following extensive research and analysis of the fee structures adopted by other local planning authorities in the region and across the country. Our comprehensive review ensured that our proposed fees are in line with what is commonly charged by other authorities, reflecting industry standards that developers and their agents, particularly for major applications, are accustomed to navigating. This may explain the limited volume of responses received on the fee structure, suggesting a general acceptance within the industry that such charges constitute a standard aspect of the pre-application process for significant developments. Exeter City Council has been an outlier in not previously imposing such charges, a stance that is increasingly uncommon in the context of local government planning processes. Our move towards introducing fees for pre-application advice on major schemes, therefore, represents a transition towards what can be considered 'business as usual' for large-scale development projects. This approach is designed to ensure that the Council can continue to offer high-quality, detailed pre-application advice, supporting developers and their agents in submitting well-considered and viable planning applications, thereby contributing positively to Exeter's sustainable development goals.

6.2 Service Quality and Efficiency

- **Mixed Perceptions of Service Quality Impact:** Equal anticipation of improvements and declines in service quality upon introducing charges.
- **Concerns Over Officer Resourcing and Response Times:** Uncertainty about officer availability and the timeliness of responses could deter service uptake.
- **Impact of Charges on Developer Behaviour:** Fears that developers might bypass pre-application advice, seeking low/no-cost alternatives.

Response: The feedback from the consultation has illuminated stakeholders' concerns regarding the potential impact of introducing charges for pre-application advice on service quality and efficiency. Considering this feedback, it is crucial to clarify that the primary objective behind implementing these charges is to directly reinvest the funds generated back into the service. This reinvestment strategy is designed to enhance our advisory services, ensuring that the quality and efficiency

not only remain high but also improve over time. By allocating additional financial resources garnered from these charges, we are committed to offering more comprehensive, timely, and high-quality advice to developers and stakeholders, ensuring that every project benefits from expert guidance tailored to promote sustainable and impactful development within Exeter. This initiative is an investment in Exeter's future development, where the quality of pre-application advice directly contributes to the success of development projects and the broader strategic objectives of the City's growth and sustainability.

6.3. Stakeholder Engagement and Process Transparency

- **Inclusivity in Stakeholder Engagement:** A community group reported being unaware of the consultation, suggesting improvements in notification processes.
- **Requests for Comprehensive Consultation:** Questions about broader consultation on the entire Charter, beyond pre-application advice charges.
- **Expectation Management:** Instances of developers criticising pre-application advice when applications are refused, indicating expectations for approval.

Response: It is essential to clarify that the modifications to our pre-application advice service are designed to provide more value and support to developers. It is important to note that while pre-application advice is confidential and does not predetermine any outcome for a formally submitted application, it is a crucial step towards more informed and refined development proposals. This service is intended to complement, not replace, our commitment to comprehensive public consultation and the democratic determination of formally submitted major applications. Through these efforts, we aim to foster a more collaborative, transparent, and effective planning environment, thereby enriching Exeter's development landscape and ensuring that all stakeholders have a voice in shaping the future of our city.

6.4 Democratic and Consultative Aspects

- **Potential Reduction in Decision-Making Transparency:** Concerns that charging could shift decision-making away from Planning Committees to officers, undermining public consultation.
- **Role of Ward Councillors and Public Consultation:** Anxiety about diminishing the significance of ward councillors, Planning Committee decisions, and public consultation in the planning process.

Response: There will be a steadfast commitment to upholding the democratic principles that govern our decision-making processes. The enhancements to our pre-application advice service are intended to augment, not undermine, the comprehensive consultation and democratic determination that are hallmarks of the planning system. These improvements aim to provide developers with more insightful, constructive advice early in the planning process, thereby facilitating more robust and community-aligned development proposals. It is crucial to understand that this service complements our commitment to full and transparent public consultation for all formally submitted applications, ensuring that the voices of all stakeholders are heard and considered. By refining our pre-application services, we

seek not only to elevate the quality of development in Exeter but also to strengthen the democratic foundation upon which our planning authority operates, ensuring that our decision-making process remains inclusive, transparent, and reflective of the community's aspirations and needs.

6.5 Charter Clarity and Detail

- **Need for Clearer Communication and Detail:** Feedback suggests clarity issues within the Charter, advocating for more detailed planning frameworks.
- **Revision of Graphs and Definitions:** Calls for clearer communication through revised visuals and terminology.

Response: It is important to provide stakeholders with a clear and comprehensive understanding of the Charter's intentions, guidelines, and the specific roles it envisages for all involved parties. Recognising this, we are committed to undertaking ongoing engagement with stakeholders regarding the principles which underpin the Charter. The Charter is designed to be a "living document," and will be regularly reviewed and updated, as our processes evolve. This will ensure that the Charter serves as a useful and accessible resource for developers. The Liveable Exeter Placemaking Charter not only guides sustainable development within the city but does so in a manner that is transparent, understandable, and inclusive, fostering a shared vision for Exeter's future development.

6.6 Community Engagement and Developer Forums

- **Guidelines for Community and Developer Interaction:** Calls for clear guidelines to improve community input and developer interaction.

Response: Active and meaningful engagement between developers and the community is critically important. It is our intention to not only facilitate but also actively encourage developers to engage with the community throughout the planning process. To support this, we will provide clear guidelines and support mechanisms that outline effective engagement strategies, emphasising that developers who engage positively and constructively with the community will enhance their understanding of local needs and concerns. This, in turn, is likely to lead to the submission of planning applications that are more aligned with community aspirations and, therefore, have a higher likelihood of success. By fostering this culture of proactive engagement, we aim to ensure that development in Exeter is not only sustainable and innovative but also reflective of a constructive dialogue between all stakeholders, thereby contributing to the creation of a community that is vibrant, inclusive, and forward-looking.

6.7 Urban Development Complexities

- **Addressing Urban Planning Complexities:** Highlighted the need to incorporate urban planning complexities into the Charter's scope.

Response: It is acknowledged that addressing these complexities requires a nuanced approach, one that appreciates the balance between growth, sustainability, and community well-being. The Charter will enable a deeper engagement with

issues such as urban density, green spaces, infrastructure needs, and the integration of new developments into our historical context. It will not only guide development but also reflect a sophisticated understanding of urban planning's intricate dynamics. By doing so, we seek to ensure that our urban development strategies are robust, adaptable, and aligned with both our immediate and long-term vision for Exeter. Through collaborative efforts with stakeholders and leveraging expert insights, we aspire to create a framework that navigates the complexities of urban development while fostering a city that is vibrant, sustainable, and inclusive for all its residents.

7. Conclusion

7.1 Officers acknowledge the concerns raised regarding fee scales, service quality, stakeholder engagement, democratic processes, Charter clarity, and the complexities of urban development. Our response to these concerns reflects a commitment to transparency, inclusivity, and enhancing the quality of our services.

7.2 This statement has clarified the scope and intent of the proposed fee scales, aligning them with practices of other local planning authorities and underscoring that these charges will be reinvested to improve the pre-application advice service. Furthermore, the importance of robust stakeholder engagement is recognised, and Officers are dedicated to enhancing mechanisms for community and developer interaction, ensuring that all voices are heard and considered in the planning process.

7.3 Commitment to the democratic and consultative aspects of planning remains unchanged. The enhancements to the pre-application advice service are designed to complement, not replace, rigorous public consultation and the democratic determination of planning applications. Officers will continue to refine the Placemaking Charter, addressing clarity and detail to ensure it serves as a guide for all stakeholders.

7.4 The journey towards sustainable urban development is complex and requires a collaborative effort. Officers are encouraged by the constructive feedback received and are committed to making the necessary adjustments to the Charter and our processes over time. The aim is not only to navigate the intricacies of urban development but to do so in a way that aligns with Exeter's long-term vision, fostering a vibrant, sustainable, and inclusive city for all its residents.