

Bath & North East Somerset Council

MEETING: Planning Committee

MEETING DATE: 4 May 2022

AGENDA
ITEM
NUMBER

TITLE: Quarterly Performance Report covering period 1 Jan – 31 Mar 2022

WARD: ALL

AN OPEN PUBLIC ITEM

List of attachments to this report:

Analysis of Chair referral cases

1 THE ISSUE

At the request of Members and as part of our on-going commitment to making service improvements, this report provides Members with performance information across Planning.

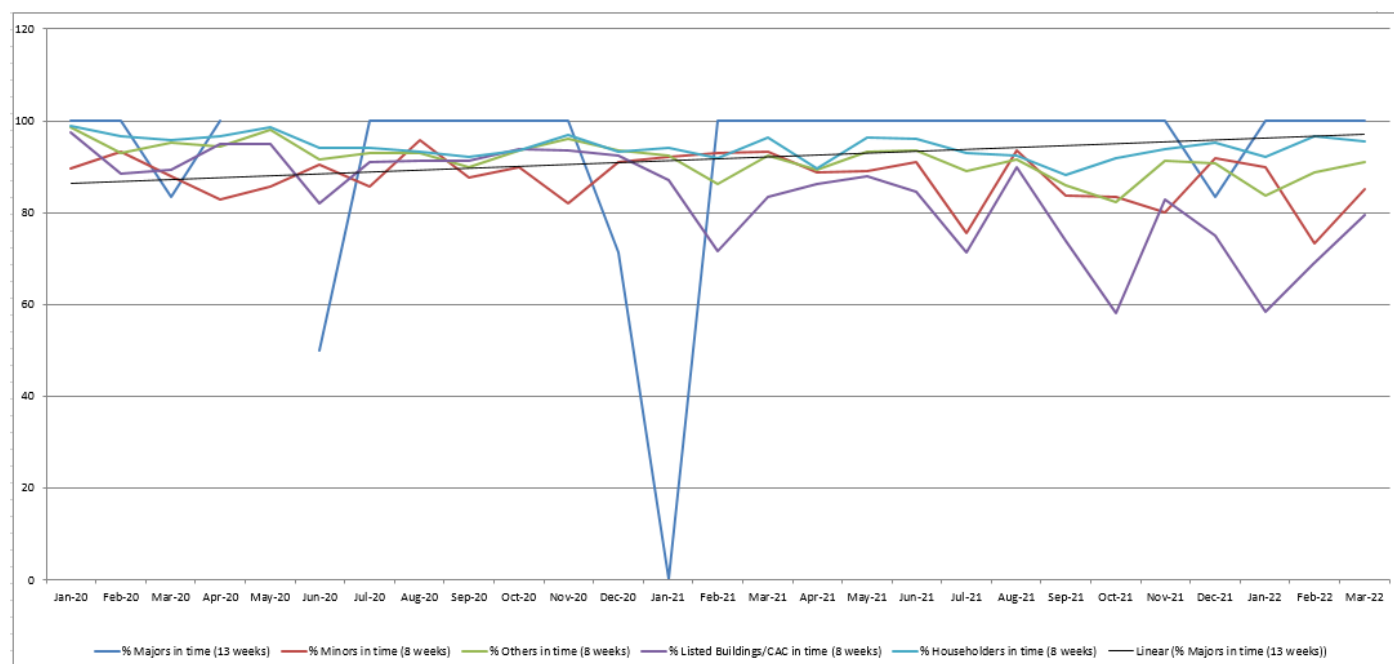
2 RECOMMENDATION

Members are asked to note the contents of the performance report.

3 THE REPORT

Tables, charts and commentary

1 - Comparison of Applications Determined Within Target Times



% of planning applications in time	2020-2021				2021-2022			
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
% Majors in time	(3/5) 60%	(9/9) 100%	(9/11) 82%	(4/5) 80%	(10/10) 100%	(8/8) 100%	(8/9) 89%	(11/11) 100%
% Minors in time	(81/94) 86%	(80/90) 89%	(89/101) 88%	(129/139) 93%	(96/107) 90%	(94/113) 83%	(83/97) 86%	(78/94) 83%
% Others in time	(325/344) 94%	(336/365) 92%	(370/393) 94%	(401/443) 91%	(487/529) 92%	(411/463) 89%	(353/400) 88%	(379/431) 88%

Note:

Major - 10+ dwellings/0.5 hectares and over, 1000+ sqm/1 hectare and over

Minor - 1-10 dwellings/less than 0.5 hectares, Up to 999 sqm/under 1 hectare

Other - changes of use, householder development, adverts, listed building consents, lawful development certificates, notifications, etc

2 - Recent Planning Application Performance

Application nos.	2020-2021				2021-2022			
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
Received	491	599	695	768	774	621	643	710
Withdrawn	58	67	41	58	60	45	47	60
Delegated no. and %	436 (98%)	436 (94%)	486 (96%)	570 (97%)	633 (97%)	556 (95%)	481 (95%)	526 (98%)
Refused no. and %	39 (9%)	34 (7%)	50 (10%)	30 (5%)	39 (6%)	34 (6%)	39 (8%)	42 (8%)

3 – Dwelling Numbers

Dwelling numbers	2020-2021				2021-2022			
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
Major residential (10 or more dwellings) decisions	3	8	0	1	4	2	4	3
Major residential decisions granted	1	5	0	1	3	2	3	1
Number of dwellings applied for on Major schemes	0	300	100	423	0	10	502	103
Number of dwelling units permitted on schemes (net)	176	64	280	393	143	88	273	105

4 - Planning Appeals

	Apr – Jun 2021	Jul – Sep 2021	Oct – Dec 2021	Jan – Mar 2022
Appeals lodged	20	17	14	24
Appeals decided	25	14	21	21
Appeals allowed	5 (20%)	3 (23%)	8 (42%)	4 (21%)
Appeals dismissed	20 (80%)	10 (77%)	11 (58%)	15 (79%)

5 - Enforcement Investigations

	Apr – Jun 2021	Jul – Sep 2021	Oct – Dec 2021	Jan – Mar 2022
Investigations launched	132	119	61	118
Investigations in hand	289	264	263	298
Investigations closed	141	137	70	86
- No breach of planning (inc. PD, Lawful or immune)	48	53	17	TBC
- Not Expedient	28	29	20	TBC
- Compliance negotiated	24	21	13	TBC
- Retrospective PP Granted	23	16	16	TBC
- Other (i.e. Insufficient Information, Complaint Withdrawn, Application Pending)	18	18	4	TBC
Enforcement Notices issued	1	2	2	0
Planning Contravention Notices served	7	2	3	0
Breach of Condition Notices served	0	0	0	0
Stop Notices	0	0	0	0
Temporary Stop Notices	0	0	0	0
Injunctions	0	0	0	0
Section 16 Notices	0	0	3	TBC
Section 215 Notices	0	0	0	TBC

Explanation

- 'Cases closed' means either: on investigation it was found there was no breach of planning control; or it was deemed not expedient to take the matter further (usually related to trivial or technical breaches); voluntary compliance was negotiated (i.e. resulting in a cessation of use of removal of structure); or on application, retrospective permission was granted to regularise the breach.
- Other cases not included in the 'closed' breakdown are closed either due to insufficient information; or the breach was identified as permitted development; or the breach was identified as lawful through passage of time; or where the complaint was withdrawn.

6 – Other Work (applications handled but not included in national returns)

The service also processes other statutory applications (discharging conditions, prior approvals, prior notifications, non-material amendments etc) and discretionary services like pre-application advice. The table below shows the number of these applications received

	Apr – Jun 2021	Jul – Sep 2021	Oct – Dec 2021	Jan – Mar 2022
Other types of work	438	346	323	385

7 – Works to Trees

	Apr – Jun 2021	Jul – Sep 2021	Oct – Dec 2021	Jan – Mar 2022
Number of applications for works to trees subject to a Tree Preservation Order (TPO)	28	29	27	28
Percentage of applications for works to trees subject to a TPO determined within 8 weeks	100%	97%	89%	86%
Number of notifications for works to trees within a Conservation Area (CA)	224	184	250	177
Percentage of notifications for works to trees within a Conservation Area (CA) determined within 6 weeks	100%	93%	97%	98%

8 – Corporate Customer Feedback

The latest quarterly report is published here:

<https://beta.bathnes.gov.uk/view-complaint-reports>

9 - Ombudsman Complaints

When a customer remains dissatisfied with the outcome of the Corporate Complaints investigation they can take their complaint to the **Local Government Ombudsman** for an independent view.

Ombudsman Complaints	Apr – Jun 21	Jul – Sep 21	Oct – Dec 21	Jan – Mar 22
Complaints upheld	1	0	0	1
Complaints Not upheld	0	0	1	0

10 – Section 106 Agreements and Community Infrastructure Levy (CIL)

Members will be aware of the Planning Obligations SPD first published in 2009. Planning Services have spent the last few years compiling a database of Section 106 Agreements. This is still in progress, but does enable the S106/CIL Monitoring Officer to actively monitor the delivery of agreed obligations. S106 and CIL financial overview sums below will be refreshed for every quarterly report. CIL annual reports, Infrastructure Funding Statement and Infrastructure Delivery Plan 2020 are also published on our website: <https://beta.bathnes.gov.uk/policy-and-documents-library/annual-cil-spending-reports>

(Note: figures are for guidance only and could be subject to change due to further updates with regards to monitoring S106 funds)

S106 Funds received (2021/22)	£3,359,992.08
CIL sums overview - Potential (April 2015 to date)	£13,285,012.53
CIL sums overview - Collected (April 2015 to date)	£21,720,312.15

11 – Chair Referrals

Table 12 below shows the numbers of planning applications where Chair decision has been sought to either decide the application under delegated authority or refer to Planning Committee. *A further analysis of Chair referral cases is in Appendix 1 below.*

	Apr – Jun 2021	Jul – Sep 2021	Oct – Dec 2021	Jan – Mar 2022
Chair referral delegated	21	21	24	19
Chair referral to Planning Committee	8	8	11	11

12 – 5 Year Housing Land Supply

5 year housing land supply

	Standard methodology		
A	Calculation based on standard method		
B	5 year supply requirement (676x5)		3,380
C	Deliverable supply		3,728
D	5 year requirement		3,380
E	5 year requirement + 5% buffer		3,549
		Supply as a % of a requirement	Supply in years
		105%	5.25

The figures within the housing trajectory have been collected as of March 2021 when the councils Core Strategy is more than 5 years old.

The housing requirement within the Core Strategy does not include the student population. However, the standard method makes no such alteration and includes student population growth. Therefore student accommodation is factored into the five year supply. The ratio of 2.5 bed spaces to one dwelling from the Housing Delivery Test Measurement Rule Book applies

The Old Bakery – 63 beds, ratio delivery of 25 dwellings
 Bath Cricket Club – 136 beds, ratio delivery of 54 dwellings
 Pickfords – 204 beds, ratio delivery of 82 dwellings
 Plumb centre - 72 bed, ratio delivery of 29 dwellings
 Hartwells garage - 186 beds, ratio delivery of 74 dwellings

Total – 264

The monitoring reports are also published on our website: <https://beta.bathnes.gov.uk/policy-and-documents-library/five-year-housing-land-supply-and-housing-and-economic-land>

Appendix 1 - Analysis of Chair referral cases

Application no	ADDRESS	PROPOSAL	Decision Level	Decision Date	Status	Notes
21/01898/FUL	Little Horse Croft FarmFord RoadWellowBathBath And North East SomersetBA2 8QF	Creation of a new vehicular access.	CHAIR	05-Jan-22	PERMIT	Chair referral delegated decision
21/04971/FUL	St AndrewsOld LaneFarmboroughBathBath And North East SomersetBA2 0BW	Proposed refurbishment of a single storey house with ground floor extension, addition of new first floor, and associated garage, including storage for refuse, recycling and bicycles (Resubmission).	CHAIR	14-Jan-22	PERMIT	Chair referral delegated decision
21/03073/FUL	Manor FarmMillards HillWeltonMidsomer NortonRadstockBath And North East SomersetBA3 2BW	Erection of 2 no. yurts, 3 no. compost toilets, canopy structure, timber shed, and timber fence to the western boundary (retrospective)	CHAIR	01-Feb-22	PERMIT	Chair referral delegated decision
21/03056/FUL	Parcel 4823Old Dunkerton HillDunkertonBathBath And North East Somerset	Repairs, reinstatement and alterations to two existing agricultural barns and the erection of a further barn extension (Resubmission).	CHAIR	02-Feb-22	PERMIT	Chair referral delegated decision
21/04627/FUL	9 - 10 Seven DialsSawcloseCity CentreBathBath And North East SomersetBA1 1EN	Change of use from office (Class E) to pizza dough preparation/storage area and wine bar (Sui Generis).	CHAIR	04-Feb-22	PERMIT	Chair referral delegated decision
21/05546/FUL	8 The AvenueKeynshamBristolBath And North East SomersetBS31 2BU	Erection of first-floor side extension.	CHAIR	08-Feb-22	RF	Chair referral delegated decision
20/03934/FUL	Willow BarnSunnymead LaneBishop SuttonBristolBath And North East SomersetBS39 5UW	Erection of new garage/carport.	CHAIR	10-Feb-22	PERMIT	Chair referral delegated decision
21/05541/LBA	Chelwood House HotelUpper Bristol RoadChelwoodBristolBath And North East SomersetBS39 4NH	Internal and external alterations to sub-divide the existing building into five self-contained two-bedroom flats.	CHAIR	11-Feb-22	RF	Chair referral delegated decision
21/05540/FUL	Chelwood HouseUpper Bristol RoadChelwoodBristolBath And North East SomersetBS39 4NH	Sub-divide the existing building into five self-contained two-bedroom flats.	CHAIR	11-Feb-22	RF	Chair referral delegated decision
21/05449/FUL	20A Charlton ParkKeynshamBristolBath And North East SomersetBS31 2ND	Erection of two-storey side and front extension and single-storey rear extension.	CHAIR	16-Feb-22	PERMIT	Chair referral delegated decision
21/05137/FUL	65 St Ladoc RoadKeynshamBristolBath And North East SomersetBS31 2EQ	Erect 1 no. three bedroom attached house.	CHAIR	17-Feb-22	PERMIT	Chair referral delegated decision

21/05404/FUL	8 Triangle VillasTriangle EastOldfield ParkBathBath And North East SomersetBA2 3JG	Demolition of existing side garage and rear extensions and erection of new single-storey side extension and two-storey rear extension.	CHAIR	18-Feb-22	PERMIT	Chair referral delegated decision
21/05403/FUL	7 Triangle VillasTriangle EastOldfield ParkBathBath And North East SomersetBA2 3JG	Demolition of existing side conservatory and rear extensions and construction of new single-storey side extension and two-storey rear extension, removal of 2 garages and erection of new single garage.	CHAIR	18-Feb-22	PERMIT	Chair referral delegated decision
21/04904/FUL	73 Cameley GreenTwertonBathBath And North East SomersetBA2 1SB	Construction of a new dwelling with lower ground floor and upper floor at street level.	CHAIR	21-Feb-22	RF	Chair referral delegated decision
21/05194/FUL	15 Barnard WalkKeynshamBristolBath And North East SomersetBS31 2NS	Erection of single storey rear extension, two storey side extension, loft conversion and porch.	CHAIR	28-Feb-22	PERMIT	Chair referral delegated decision
21/04874/FUL	5 Squire LaneUbleyBristolBath And North East SomersetBS40 6PP	Creation of hard standing and access on to the public highway (Retrospective)	CHAIR	01-Mar-22	RF	Chair referral delegated decision
21/04315/FUL	Englishcombe House Residential Home33 Englishcombe LaneSouthdownBathBath And North East SomersetBA2 2EE	Change of use of care home (Use Class C2) to residential accommodation (Use Class C3) to create 7No. self-contained flats and associated works.	CHAIR	03-Mar-22	PERMIT	Chair referral delegated decision

22/00254/FUL	Lark BarrowOld Midford RoadMidfordBathBath And North East SomersetBA2 7DQ	Refurbishment of original house, removal of existing single and two storey side extensions and construction of new single and two storey side extensions. Replacement of existing outbuilding (Resubmission)	CHAIR	16-Mar-22	RF	Chair referral delegated decision
21/04906/OUT	RocklandsFarrington RoadPaulstonBristolBath And North East SomersetBS39 7LP	Outline application for 6 dwellings on land to the rear of Rocklands (all matters reserved).	CHAIR	22-Mar-22	PERMIT	Chair referral delegated decision
21/00419/EFUL	Resourceful Earth LtdCharlton Field LaneQueen CharltonBristolBath And North East SomersetBS31 2TN	Development of an Anaerobic Digester Facility (including retention of the existing Feedstock Reception Building, Digester Tank (x5), Storage Tank, CHP Engine (x4), Transformer, GRP Substation, GRP Technical Room (x5) and Gas Equipment) to produce both gas	COMMDC	10-Mar-22	RF	Chair referral to committee. Given the size complexity of this scheme and the considerable amount of public interest, I believe this would benefit from being debated in the public forum of the planning committee.
21/05528/VAR	Bath Rugby ClubBath Recreation GroundPulteney MewsBathwickBathBath And North East SomersetBA2 4DS	Variation of condition 1 of application 20/00135/VAR (Variation of conditions 1 and 2 of application 17/01637/FUL to allow the stands and related development to remain in situ for a further 2 years (until 30th May 2022) and the retention of the east stand	COMMDC	10-Mar-22	PERMIT	Chair referral to committee. Given the importance of this site in the heart of Bath, and the fact that a second (and in this case, third) extension of temporary permission can only be granted in exceptional circumstances, I believe that this proposal should be debated in a public forum. I therefore refer this application to the committee for a decision.
21/05530/VAR	Bath Rugby ClubBath Recreation GroundPulteney MewsBathwickBathBath And North East SomersetBA2 4DS	Variation of condition 1 of application 20/00137/VAR (Variation of condition 1 of application 15/05237/FUL to allow the stands and related development to remain in situ for a further 2 years (until 30th May 2022) (Erection of temporary spectator stands al	COMMDC	10-Mar-22	PERMIT	Chair referral to committee. Given the importance of this site in the heart of Bath, and the fact that a second (and in this case, third) extension of temporary permission can only be granted in exceptional circumstances, I believe that this proposal should be debated in a public forum. I therefore refer this application to the committee for a decision.
21/05529/VAR	Bath Rugby ClubBath Recreation GroundPulteney MewsBathwickBathBath And North East SomersetBA2 4DS	Variation of condition 1 of application 20/00136/VAR (Variation of condition 1 of application 15/05235/FUL to allow the stands and related development to remain in situ for a further 2 years (until 30th May 2022) (Part demolition of existing permanent Wes	COMMDC	10-Mar-22	PERMIT	Chair referral to committee. Given the importance of this site in the heart of Bath, and the fact that a second (and in this case, third) extension of temporary permission can only be granted in exceptional circumstances, I believe that this proposal should be debated in a public forum. I therefore refer this application to the committee for a decision.

21/03981/FUL	18 St Catherine's CloseBathwickBathBath And North East SomersetBA2 6BS	Erection of two storey side and rear extension and single storey rear extension following demolition of existing structures.	COMMDC	12-Jan-22	PERMIT	Chair referral to committee. I have reviewed this application and note the comments and objections raised against it. Many of the issues have been resolved during the course of the officer's assessment but concerns remain on the size and character of the proposal. For this reason I recommend that it is debated at committee.
21/04626/FUL	AshfieldStockwood ValeKeynshamBristolBath And North East SomersetBS31 2AP	Proposed ridge height increase and dormer extension to provide further accommodation in roof. Installation of side balcony to master bedroom.	COMMDC	10-Feb-22	RF	Chair referral to committee. I have reviewed this application and note the comments from Keynsham Town Council rightly pointing out that the proposal is compliant with policies D1 to D6. However, this property is in the green belt so the reason for refusal is on the grounds of policy CP8, GB1 and GB3 as the cumulative percent increase of volume is considered harmful to the openness of the green belt. There is no increase in footprint and there is some debate as to what exactly the volume of the original buildings were so I am recommending that this goes before the committee so that they can consider the degree of harm in a public debate.
21/04147/FUL	Frome HouseLower Bristol RoadWestmorelandBathBath And North East SomersetBA2 1EY	Enlargement of Frome House and associated change of use from office (Use class E(g)) (Excluding existing ground floor tyre repair centre) to 66 student bedspaces and associated works.	COMMDC	10-Feb-22	RF	Chair referral to committee. I have reviewed this application and note the objections and comments from all parties. Despite adjustments which have been made during the course of the application process, this remains a controversial development and I therefore think it would benefit from being debated in public at committee.
21/03907/FUL	61 Warminster RoadBathamptonBathBath And North East SomersetBA2 6RX	Installation of roof extension with lift to provide first floor accommodation.	COMMDC	10-Feb-22	PERMIT	Chair referral to committee. I have reviewed this application and note the objections from Bathampton Parish Council and third parties. Given the contrast in design from the existing and proposed property, and the potential impact on the residential amenity of the neighbouring property, I believe that this proposal would benefit from being debated in a public forum at committee.
21/04507/FUL	Proposed Cafe223 Trajectus WayKeynshamBath And North East Somerset	Erection of no. 4 dwellings (Use Class C3) and associated works	COMMDC	10-Feb-22	PERMIT	application and note the objections from Keynsham Town Council and other 3rd parties. The officer has worked with the applicant to ensure policy compliance and this has resulted in a number of conditions being attached to the decision. However,

21/03207/FUL	Tynning HouseHursley HillPublowBristolBath And North East SomersetBS14 0QZ	Erection of detached dwelling following demolition of existing HMO property.	COMMDC	17-Jan-22	RF	Chair referral to committee. I have reviewed this application and note the support from both parish councils. Given the lack of specific criteria on the NPPF regarding what is classed as "materially larger" when considering replacement dwellings, I think this proposal should be debated at committee.
21/05004/FUL	Clarkson House5 Great Stanhope StreetKingsmeadBathBath And North East Somerset	Replacement of front windows from timber to uPVC.	COMMDC	10-Feb-22	RF	Chair referral to committee. I have reviewed this application carefully, noting the arguments for and against the proposal. The application has been refused because the proposal is not considered to preserve or enhance the conservation area and would be harmful to the other heritage assets nearby. The officer's report also notes that uPVC is a less sustainable solution and has a bigger carbon footprint than wood. The applicant's case is that uPVC double-glazed units designed to appear the same and open the same as the wooden equivalent would not cause harm to the conservation area, are a more sustainable solution, and that the public benefit to counterbalance any perceived harm in the use of uPVC is that it would provide a better insulated option for the residents of Clarkson House, many of whom are on low incomes. Given that the Council has declared a climate emergency, and, with the cost of heating, that many households are now at high risk of fuel poverty, I believe that it would be useful to debate these issues in the public arena. It will also provide the committee with a useful background when they come to consider similar proposals in the future.
21/00889/FUL	The WharfGreensbrookCluttonBristolBath And North East SomersetBS39 5PG	Development of 18no. dwelling houses with associated access improvements, hard/soft landscaping, drainage works and parking.	COMMDC	09-Mar-22	PERMIT	The Parish Council support the application and the officer is minded to permit, nevertheless as per the Council's Scheme of Delegation the application is required to be heard at committee given that it is accompanied by a Viability Assessment in regards to Affordable Housing.

Contact person	John Theobald, Project/Technical and Management Support Officer, Planning 01225 477519
Background papers	CLG General Development Management statistical returns PS1 and PS2 + Planning applications statistics on the DCLG website: https://www.gov.uk/government/statistical-data-sets/live-tables-on-planning-application-statistics
Please contact the report author if you need to access this report in an alternative format	