

# Bath & North East Somerset Council

MEETING: Planning Committee

MEETING DATE: 17 January 2024

AGENDA  
ITEM  
NUMBER

TITLE: Quarterly Performance Report covering period 1 Oct – 31 Dec 2023

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.*

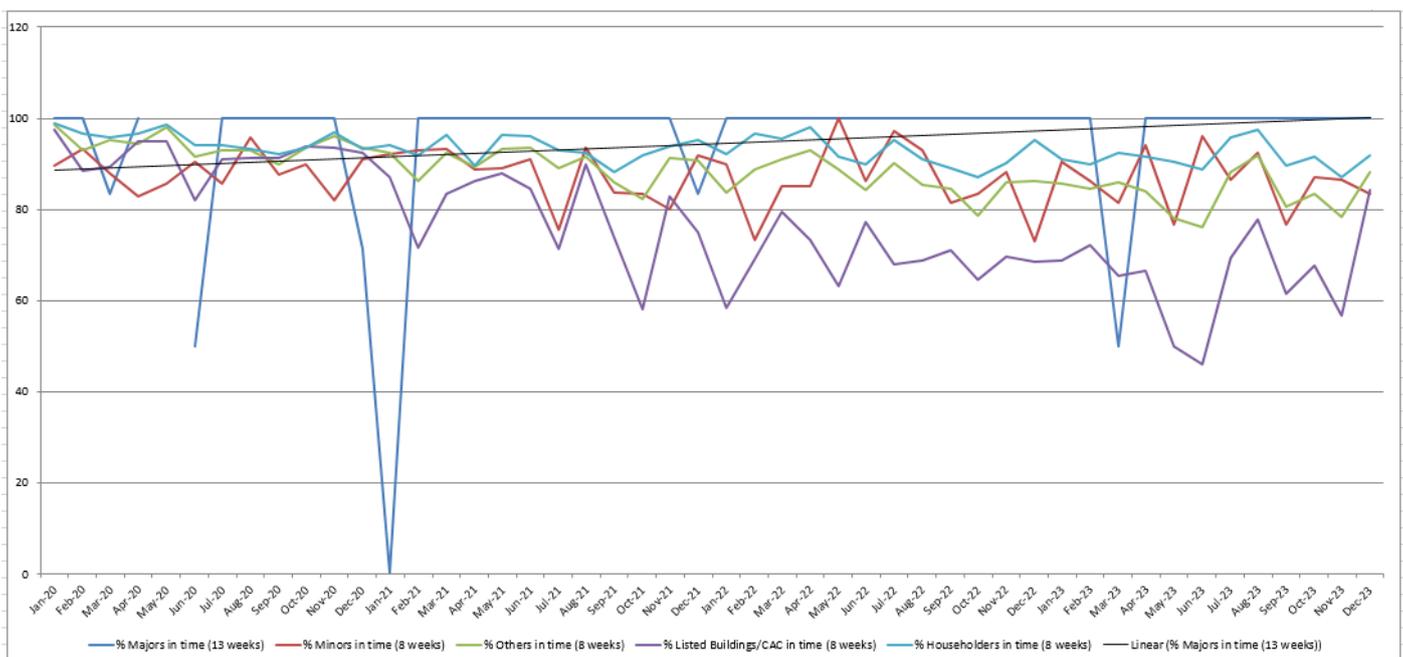
## 2 RECOMMENDATION

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



Majors target 60%, non-majors target 70%

% of planning applications in time	2021-2022				2022-2023			
	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3
% Majors in time	(11/11) 100%	(4/4) 100%	(7/7) 100%	(7/7) 100%	(7/8) 88%	(8/8) 100%	(5/5) 100%	(12/12) 100%
% Minors in time	(78/94) 83%	(75/83) 90%	(93/103) 90%	(82/101) 81%	(78/91) 86%	(82/92) 89%	(75/88) 85%	(98/84) 86%
% Others in time	(379/431) 88%	(373/420) 89%	(332/383) 87%	(329/394) 84%	(318/372) 85%	(338/426) 79%	(311/359) 87%	(283/341) 83%

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, demolition in a conservation area

## 2 - Recent Planning Application Performance

Application nos.	2021-2022				2022-2023			
	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3
Received	710	610	618	564	605	541	526	538
Withdrawn	60	51	42	76	54	70	45	65
Delegated no. and %	526 (98%)	482 (95%)	472 (96%)	494 (98%)	461 (98%)	518 (98%)	449 (99%)	433 (96%)
Refused no. and %	42 (8%)	34 (7%)	30 (6%)	40 (8%)	26 (6%)	38 (7%)	30 (7%)	27 (6%)

## 3 – Dwelling Decisions and Numbers

Decisions on Major residential applications	2021-2022				2022-2023			
	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3
Decisions on Major residential applications (10 or more dwellings)	3	3	0	3	4	3	3	6
Major residential decisions granted	1	2	0	2	4	3	2	5
Number of dwellings applied for on Major schemes	103	300	776	65	0	428	70	237
Number of dwelling units permitted on schemes (net)	105	610	46	78	251	189	38	110

## 4 - Planning Appeals

	Jan – Mar 2023	Apr – Jun 2023	Jul – Sep 2023	Oct – Dec 2023
Appeals lodged	15	15	14	11
Appeals decided	15	15	12	8

Appeals allowed	9 (60%)	6 (40%)	5 (42%)	2 (25%)
Appeals dismissed	6 (40%)	9 (60%)	7 (58%)	6 (75%)

## **5 - Enforcement Investigations**

	Jan – Mar 2023	Apr – Jun 2023	Jul – Sep 2023	Oct – Dec 2023
Investigations launched	124	131	123	118
Investigations in hand	474	510	423	430
Investigations closed	86	79	227	110
Enforcement Notices issued	0	6	2	2
Planning Contravention Notices served	6	3	5	4
Breach of Condition Notices served	0	0	1	1
Stop Notices	0	0	0	0
Temporary Stop Notices	0	0	1	0
Injunctions	0	0	0	0

## **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

	Jan – Mar 2023	Apr – Jun 2023	Jul – Sep 2023	Oct – Dec 2023
Other types of work	350	345	341	297

## **7 – Works to Trees**

	Jan – Mar 2023	Apr – Jun 2023	Jul – Sep 2023	Oct – Dec 2023
Number of applications for works to trees subject to a Tree Preservation Order (TPO)	18	15	19	26
Percentage of applications for works to trees subject to a TPO determined within 8 weeks	89%	87%	95%	100%
Number of notifications for works to trees within a Conservation Area (CA)	187	159	243	252
Percentage of notifications for works to trees within a Conservation Area (CA) determined within 6 weeks	95%	97%	97%	96%

## **8 – Corporate Customer Feedback**

The latest quarterly report is published here:

## **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.

<b>Ombudsman Complaints</b>	<b>Jan – Mar 23</b>	<b>Apr – Jun 23</b>	<b>Jul – Sep 23</b>	<b>Oct – Dec 23</b>
<b>Complaints upheld</b>	0	0	0	0
<b>Complaints Not upheld</b>	0	0	0	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 Statements and Infrastructure Delivery Plan 2021 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 (2023/24)	<b>£187,659.98</b>
CIL sums overview – Potential Liability amount (April 2015 to date)	<b>£11,901,291.29</b>
CIL sums overview – Paid (April 2015 to date)	<b>£28,813,358.66</b>

## **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.

	<b>Jan – Mar 2023</b>	<b>Apr – Jun 2023</b>	<b>Jul – Sep 2023</b>	<b>Oct – Dec 2023</b>
Chair referral delegated	18	16	2	12
Chair referral to Planning Committee	4	6	6	7

## 12 – 5 Year Housing Land Supply

### 5 year housing land supply

A	Total planned housing 2011-2029		13,000
B	Completions 2011-2023	2011-2023	9,213
C	Plan requirement	2011-2028	12,274
D	5 year supply requirement (100%)	2023-2028	3,061
E	5 year supply requirement (with 5% buffer)	2023-2029	3,214
G	Deliverable supply (#)	2023-2030	3,946
H	Deliverable supply buffer (%)	2023-2031	29%
I	Deliverable supply (#) over 100% requirement	2023-2032	885
J	Deliverable supply (#) over 105% requirement	2023-2033	732

A	Alternative Calculation Method				
B	5 year supply requirement (722x5)		3,610		
C	Surplus/deficit		549		
D	Deliverable supply		3,946		
E	5 year requirement + backlog/surplus		3,061	Supply as a % of requirement	Supply in years
F	5 year requirement + backlog/surplus +5% buffer		3,214	123%	6.14

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
23/03896/TCA	Audley House Park Gardens.Lower WestonBathBath And North East SomersetBA1 2XP	T1-Sequoia, section fell	COMMDC	13-Dec-23	NOOBJ	Application is associated with a Councillor.
23/02958/VAR	Waterworks Cottage Charcombe WayFairfield ParkBathBath And North East SomersetBA1 6JZ	Variation of conditions 5 (Bicycle Storage (Pre-occupation)), 7 (Implementation of Landscaping Scheme (Bespoke Trigger)) and 15 (Plans List (Compliance)) of application 23/00895/FUL (Erection of two detached dwellings with associated means of access, car	COMMDC	14-Dec-23	PERMIT	Both local ward members have requested that the application be bought to committee should the officer be minded to permit. The officer is minded to permit.
23/01716/FUL	2 CulverhayCompton DandoBristolBath And North East SomersetBS39 4LQ	Erection of two storey rear extension, front porch extension and raised patio to provide additional living accommodation.	CHAIR	03-Oct-23	RF	Chair referral delegated decision
23/03504/FUL	2 Rushgrove GardensBishop SuttonBristolBath And North East SomersetBS39 5XE	Erection of garden pod for home office/gym and children's play area	CHAIR	01-Nov-23	PERMIT	Chair referral delegated decision
23/02888/FUL	ShalomDragons Hill CloseKeynshamBristolBath And North East SomersetBS31 1LL	Change of use from dwellinghouse (Use Class C3) to residential children's care home (Use Class C2).	CHAIR	07-Nov-23	PERMIT	Chair referral delegated decision
23/01679/FUL	138 Bath RoadKeynshamBristolBath And North East SomersetBS31 1TA	Change of use of detached domestic garage at rear of property to a salon.	CHAIR	07-Nov-23	RF	Chair referral delegated decision
23/02315/FUL	Bell Farm Hunstrete LaneWoollardBristolBath And North East SomersetBS39 4HU	Change of use from Agricultural to mixed Agricultural and Commercial, and erection of Shepherd's Hut/Cafe and Toilet Hut	CHAIR	07-Nov-23	RF	Chair referral delegated decision
23/00189/FUL	Parcel 3873ButhamChew MagnaBristolBath And North East Somerset	Erection of agricultural buildings and provision of pond.	CHAIR	08-Nov-23	PERMIT	Chair referral delegated decision
23/03275/FUL	120C Charlton ParkMidsomer NortonRadstockBath And North East SomersetBA3 4BP	Erection of single story front & rear extensions & internal alterations.	CHAIR	08-Nov-23	PERMIT	Chair referral delegated decision

23/03909/VAR	Storage Yard Adjacent To Argyle Works Lower Bristol RoadWestmorelandBathAnd North East SomersetBA2 3DB	Variation of conditions 21 (Parking (Compliance)) and 24 (Plans List (Compliance)) of application 22/00687/REG03 (Erection of 8 no. affordable homes and associated works, following demolition of existing building).	CHAIR	30-Nov-23	PERMIT	Chair referral delegated decision
23/04100/VAR	Proposed Employment Unit 2Bell LaneChew StokeBristolBath And North East Somerset	Variation of conditions 11 (materials) and 17 (plans list) of application 19/01427/RES (Approval of reserved matters with regard to outline application 17/05325/OUT (Residential development of 5 dwellings and associated car parking and reorganisation of c	CHAIR	30-Nov-23	PERMIT	Chair referral delegated decision
23/02920/FUL	6 - 7 Moorland RoadOldfield ParkBathBath And North East SomersetBA2 3PA	Demolition of existing single-storey bank vault, two-storey staircase extension, rear storage structure and detached garage and conversion of the existing building and a two-storey rear extension and erection of two-storey infill building and associated e	CHAIR	01-Dec-23	PERMIT	Chair referral delegated decision
23/02394/FUL	22 Hill ViewFarrington GurneyBristolBath And North East SomersetBS39 6UJ	Erection of 3 bed dwellinghouse including demolition of existing garage and utility to adjoining property.	CHAIR	11-Dec-23	PERMIT	Chair referral delegated decision
23/04067/FUL	7 Kennet RoadKeynshamBristolBath And North East SomersetBS31 1NZ	Erection of single-storey porch and rear extension, and two-storey side extension, following demolition of single storey outbuildings. Alterations to drive, including widening of access. (Resubmission).	CHAIR	20-Dec-23	PERMIT	Chair referral delegated decision

23/02194/FUL	Agricultural Buildings And LandBlackrock LanePublowBristolBath And North East Somerset	Erection of 1no. 4 bed dwelling and associated works	COMMDC	14-Dec-23	PERMIT	Chair referral to committee. I note that a Sustainable Construction Checklist has been submitted. The location is outside the Housing Development Boundary in Green Belt. The committee will wish to consider the fundamental policy question of whether obtaining prior approval for a barn conversion can be used as a material consideration for an application for a new build in green belt. The Town and Country Planning Order 2015 includes the criteria that agricultural building conversion to residential should NOT include any external projections from the existing structure implying that the existing structure is expected to be retained and should maintain the same dimensions.
22/04565/FUL	The Old Post Office Tucking Mill LaneMidfordBathBath And North East SomersetBA2 7DA	Erection of new single storey rear extension to dwelling and relocated pedestrian gate access	COMMDC	16-Nov-23	PERMIT	Chair referral to committee. I note the detailed planning concerns of South Stoke PC and the concerns of the conservation officer regarding effects on a non-designated heritage asset. The planning committee may wish to consider if these concerns are addressed satisfactorily or outweighed by the perceived benefits of the scheme.
23/01693/FUL	Bloomfield House146 Bloomfield RoadBloomfieldBathBath And North East SomersetBA2 2AS	Provision of garden room building and new entrance gates.	COMMDC	16-Nov-23	PERMIT	Chair referral to committee. I note the number of objections and the particular concern of Cllr David about possible impact on neighbours. Among concerns are ones about potential change of use from class C1. Although that is not a material planning consideration for these applications, it might be advisable to have these applications determined in public at committee so that members of the public can hear the officer report. The committee might also wish to consider the conditions that are proposed to be attached if a decision to permit is made.

23/01692/LBA	Bloomfield House146 Bloomfield RoadBloomfieldBathBath And North East SomersetBA2 2AS	Provision of new entrance gates.	COMMDC	16-Nov-23	CON	Chair referral to committee. I note the number of objections and the particular concern of Cllr David about possible impact on neighbours. Among concerns are ones about potential change of use from class C1. Although that is not a material planning consideration for these applications, it might be advisable to have these applications determined in public at committee so that members of the public can hear the officer report. The committee might also wish to consider the conditions that are proposed to be attached if a decision to permit is made.
22/04109/FUL	Elm Grove FarmLower RoadHinton BlewettBristolBath And North East Somerset	Conversion and extension of barn to create 1no. dwelling and replacement of all remaining buildings with 4no. dwellings together with associated hard/soft landscape works; drainage and access improvements.	COMMDC	23-Nov-23	RF	Chair referral to committee. I note the objections of the ward councillor and the Parish Council expressing concerns about the application of policies in this case. The case officer contrasts this new application with the extant planning permission. The planning committee would wish to explore that contrast and debate relevant policy issues. The committee would also wish to consider if the ecological conditions proposed are appropriate and sufficient.
23/01535/PIP	StrathmoreStaunton LaneWhitchurchBristolBath And North East SomersetBS14 0QL	Permission in Principle Planning Application for the erection of 1no. dwelling and associated works.	COMMDC	19-Oct-23	PERMIT	Chair referral to committee. I note the objections of the Whitchurch Parish Council. The proposed development is in Green Belt and is adjacent to but outside the Housing DevelopmentBoundary. The committee will wish to consider if there are indeed the special circumstances to depart from development plan policy. The committee will want to understand relevant planning history and consider the situation that exists "on the ground". This application needs to be determined at committee.

23/03159/FUL	RocksideMead LaneSaltfordBristolBath And North East SomersetBS31 3EP	Erection of front balcony, two storey side extension, garage and associated alterations following removal of conservatory and existing garage.	COMMDC	17-Nov-23	PERMIT	Chair referral to committee. I note the support for the application from Saltford Parish Council. The committee may wish to consider whether the purposes of green belt apply to this location and whether significant weight should be given to the fact that adjacent properties have been rebuilt, modernised, and extended. The committee may wish to consider if it is Rockside that no longer fits with the street scene.
23/03048/VAR	Parcel 2000Silver StreetMidsomer NortonBath And North East Somerset	Variation of condition 10 (plans list) of application 23/00462/VAR to revise location of Plot 9 boundary wall and associated landscaping (Variation of conditions 4, 5, and 8 of application 21/00971/RES (Erection of 40 dwellings, provision of public open s	COMMDC	19-Oct-23	PERMIT	This application is presented to committee as the applicant is an employee of the council and is employed within the Planning Service.
23/02676/FUL	22 Rockliffe AvenueBathwickBathBath And North East SomersetBA2 6QP	Erection of front porch extension, replacement of windows and doors, installation of raised flat roof to rear extension and new ground floor side windows. Alterations to front and rear ground floor window and door openings and rear first floor window openi	COMMDC	19-Oct-23	PERMIT	This application is presented to committee as the applicant is an employee of the council and is employed within the Planning Service.
23/02496/FUL	9 St Ann's WayBathwickBathBath And North East SomersetBA2 6BT	Erection of single storey rear extension, two storey and single storey side extension (replacing existing), internal re-organisation and extended loft conversion (including new dormers).	COMMDC	16-Nov-23	PERMIT	This application is presented to committee in accordance with the scheme of delegation as the applicant is an employee of BANES.
23/00660/FUL	Systopia Consulting Limited Proximity HousePixash Business CentrePixash LaneKeynshamBristolBath And North East SomersetBS31 1TP	Construction of 2no. industrial units (Use classes B8 and E(g)) with associated parking, external yards, landscaping and services.	COMMDC	16-Nov-23	PERMIT	Ward member, Cllr Andy Wait, has requested that the application be referred to the committee.

<b>Contact person</b>	John Theobald, Project/Technical and Management Support Officer, Planning 01225 477519
<b>Background papers</b>	CLG General Development Management statistical returns PS1 and PS2 + Planning applications statistics on the DCLG website: <a href="https://www.gov.uk/government/statistical-data-sets/live-tables-on-planning-application-statistics">https://www.gov.uk/government/statistical-data-sets/live-tables-on-planning-application-statistics</a>
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