

Bath & North East Somerset Council

MEETING:	Planning Committee
MEETING DATE:	21 October 2020
TITLE:	Quarterly Performance Report July - Sept 2020
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 a range of activities within the Development Management function.

This report covers the period from 1 July – 30 Sept 2020.

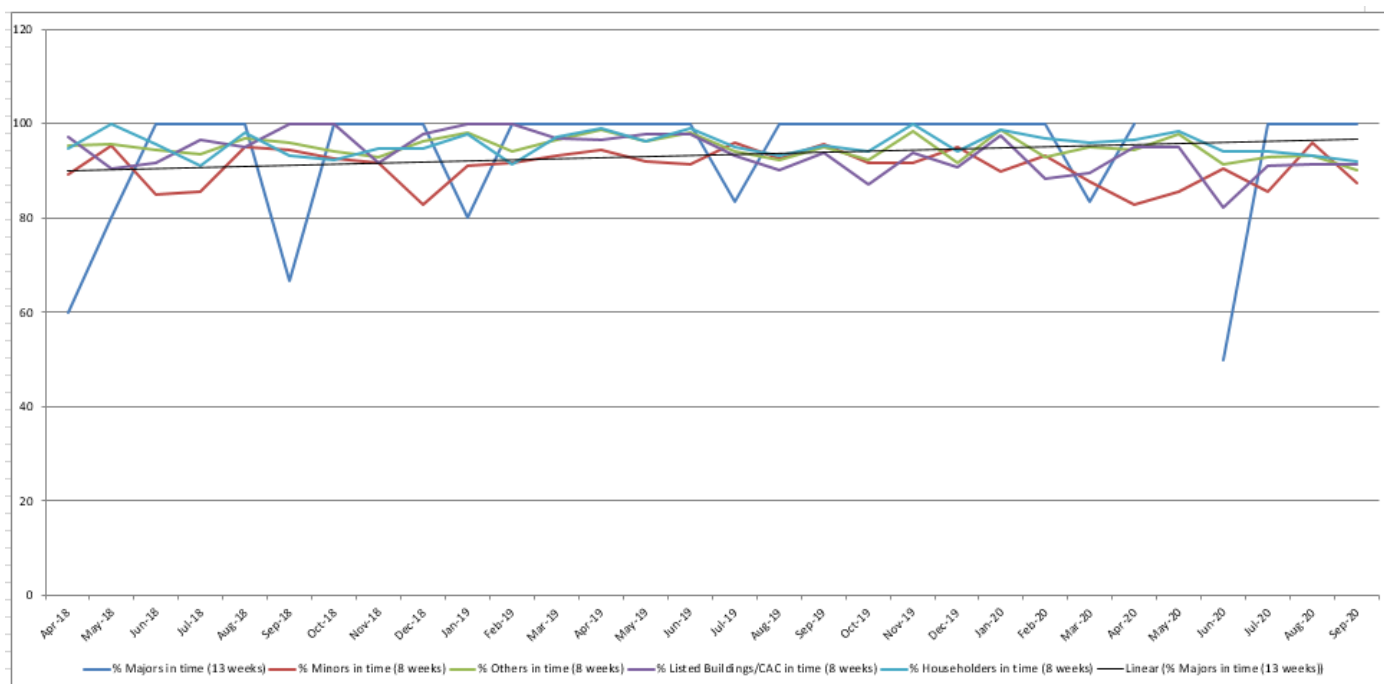
2 RECOMMENDATION

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	2019/20				2020/21			
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
% Majors in time	(11/11) 100%	(11/12) 92%	(8/8) 100%	(18/20) 90%	(3/5) 60%	(9/9) 100%		
% Minors in time	(125/135) 93%	(142/150) 95%	(115/124) 93%	(108/120) 90%	(81/94) 86%	(80/90) 89%		
% Others in time	(485/497) 98%	(421/449) 94%	(373/397) 94%	(333/347) 96%	(325/344) 94%	(336/365) 92%		

Highlights:

- All three categories have been above target consistently every quarter for 5 years.
- No Major application decisions made in May.

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.	2019/20				2020/21			
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
Received	689	635	647	604	491	599		
Withdrawn	45	50	51	49	58	67		
Delegated no. and %	630 (98%)	587 (96%)	518 (97%)	474 (97%)	436 (98%)	436 (94%)		
Refused no. and %	31 (5%)	37 (6%)	30 (6%)	39 (8%)	39 (9%)	34 (7%)		

Highlights:

- An 8% fall in planning application numbers compared to the previous 12 months – the last published national trend figure was a 10% decrease (Year ending June 2020).

- 5% fall in planning application numbers compared to the same quarter last year.
- The current delegation rate is marginally below the last published England average of 95% (Year ending June 2020).
- Percentage of refusals on planning applications remains very low compared to the last published England average of 13% (Year ending June 2020) and we put this down to the high level of use and overall success of our Pre-application advice service which also brings income into the service.

3 – Dwelling Numbers

Dwelling numbers	2019/20				2020/21			
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
Major residential (10 or more dwellings) decisions	3	4	1	7	3	8		
Major residential decisions granted	3	4	1	6	1	5		
Number of dwellings applied for on Major schemes	158	140	201	50	0	300		
Number of dwelling units permitted on schemes (net)	264	420	93	265	176	64		

Highlights:

- There were 8 major residential planning decisions last quarter, 5 were granted.

4 - Planning Appeals

	Oct – Dec 2019	Jan – Mar 2020	Apr – Jun 2020	Jul – Sep 2020
Appeals lodged	16	14	17	11
Appeals decided	15	12	13	13
Appeals allowed	2 (13%)	3 (25%)	4 (30%)	4 (30%)
Appeals dismissed	13 (87%)	9 (75%)	9 (70%)	9 (70%)

Highlights:

- Over the last 12 months performance on Appeals Allowed (24%) is under the national average of approx. 30%
- Planning Appeal costs awarded against council in last quarter: None
- Planning Appeal costs awarded against the council in this financial year: £3807.00

5 - Enforcement Investigations

	Oct – Dec 2019	Jan – Mar 2020	Apr – Jun 2020	Jul – Sep 2020
Investigations launched	147	138	140	150
Investigations in hand	184	220	257	258
Investigations closed	194	106	106	163
- No breach of planning	52	28	39	48
- Not Expedient	30	17	7	34

- Compliance negotiated	44	19	20	28
- Retrospective PP Granted	21	23	18	27
Enforcement Notices issued	1	3	1	1
Planning Contravention Notices served	5	11	2	2
Breach of Condition Notices served	0	0	0	2
Stop Notices	0	0	0	0
Temporary Stop Notices	0	0	0	0
Injunctions	0	0	0	0
Section 16 Notices	5	2	4	3
Section 215 Notices	0	1	1	0

The above breakdown of cases closed lists those cases where: on investigation it was found there was no breach of planning control; 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 listed above were closed due to insufficient information, the breach being identified as permitted development, the breach being 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

	Oct – Dec 2019	Jan – Mar 2020	Apr – Jun 2020	Jul - Sep 2020
Other types of work	308	336	263	336

7 – Works to Trees

	Oct - Dec 2019	Jan – Mar 2020	Apr – Jun 2020	Jul – Sep 2020
Number of applications for works to trees subject to a Tree Preservation Order (TPO)	24	26	16	24
Percentage of applications for works to trees subject to a TPO determined within 8 weeks	100%	96%	100%	100%
Number of notifications for works to trees within a Conservation Area (CA)	241	185	117	217
Percentage of notifications for works to trees within a Conservation Area (CA) determined within 6 weeks	99%	99%	100%	100%

Highlights:

- Performance on works to trees remains excellent.

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	Oct – Dec 19	Jan – Mar 20	Apr – Jun 20	Jul – Sep 20
Complaints upheld	0	0	0	0
Complaints Not upheld	0	0	0	0

Highlights:

There have been no upheld complaints over the last year. There were two cases closed after initial inquiries (rejected by LGSCO with no action or out of their jurisdiction).

10 – Latest News – Covid-19

The Government was very clear from the outset that they expected all Planning authorities to continue to deliver services in order to support the economy and, following some minor changes as a result of Covid-19 restrictions, we are now operating a near normal service. The Government is also updating legislation to support recovery such as allowing restaurants to operate as takeaways, extending permission deadlines, changing construction operating hours and pavement licensing.

For further details see our website <https://beta.bathnes.gov.uk/planning> and the government website <https://www.gov.uk/government/collections/draft-planning-guidance-to-support-the-business-and-planning-bill>

11 – 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. A CIL annual report is 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 (2020/21)	£274,908.83
CIL sums overview - Potential (April 2015 to date)	£10,801,921.79

CIL sums overview - Collected (April 2015 to date)	£16,441,637.66
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12 – 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 attached as an Appendix item to this report.*

	Oct – Dec 2019	Jan – Mar 2020	Apr – Jun 2020	Jul – Sep 2020
Chair referral delegated	21	16	21	17
Chair referral to Planning Committee	11	12	5	15

13 – 5 Year Housing Land Supply

A	Total planned housing 2011-2029		13,000
B	Completions 2011-2019	2011-2019	6,157
C	Plan requirement	2011-2024	9,386
D	5 year supply requirement (100%)	2019-2024	3,229
E	5 year supply requirement (with 5% buffer)	2019-2024	3,390
G	Deliverable supply (#)	2019-2024	4,528
H	Deliverable supply buffer (%)	2019-2024	40%
I	Deliverable supply (#) over 100% requirement	2019-2024	1,299
J	Deliverable supply (#) over 105% requirement	2019-2024	1,138

A	Alternative Calculation Method			
B	5 year supply requirement (722x5)		3,610	
C	Surplus/deficit		381	
D	Deliverable supply		4,528	
E	5 year requirement + backlog/surplus		3,229	Supply as a % of requirement
F	5 year requirement + backlog/surplus +5% buffer		3,390	Supply in years
				134%
				6.68

The Council has identified a supply of deliverable housing land for **4,528** homes between 1 April 2019 and 31 March 2024. This compares to a five year housing land supply requirement (including 5% buffer) of 3,390 (Core Strategy requirement, calculated using the 'Sedgefield Method'). **This amounts to a housing land supply of 6.68 years.**

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>

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	