Bath & North East Somerset Council	
MEETING:	Planning Committee
MEETING DATE:	10 February 2021
TITLE:	Quarterly Performance Report - October to December 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 October – 31 December 2020.

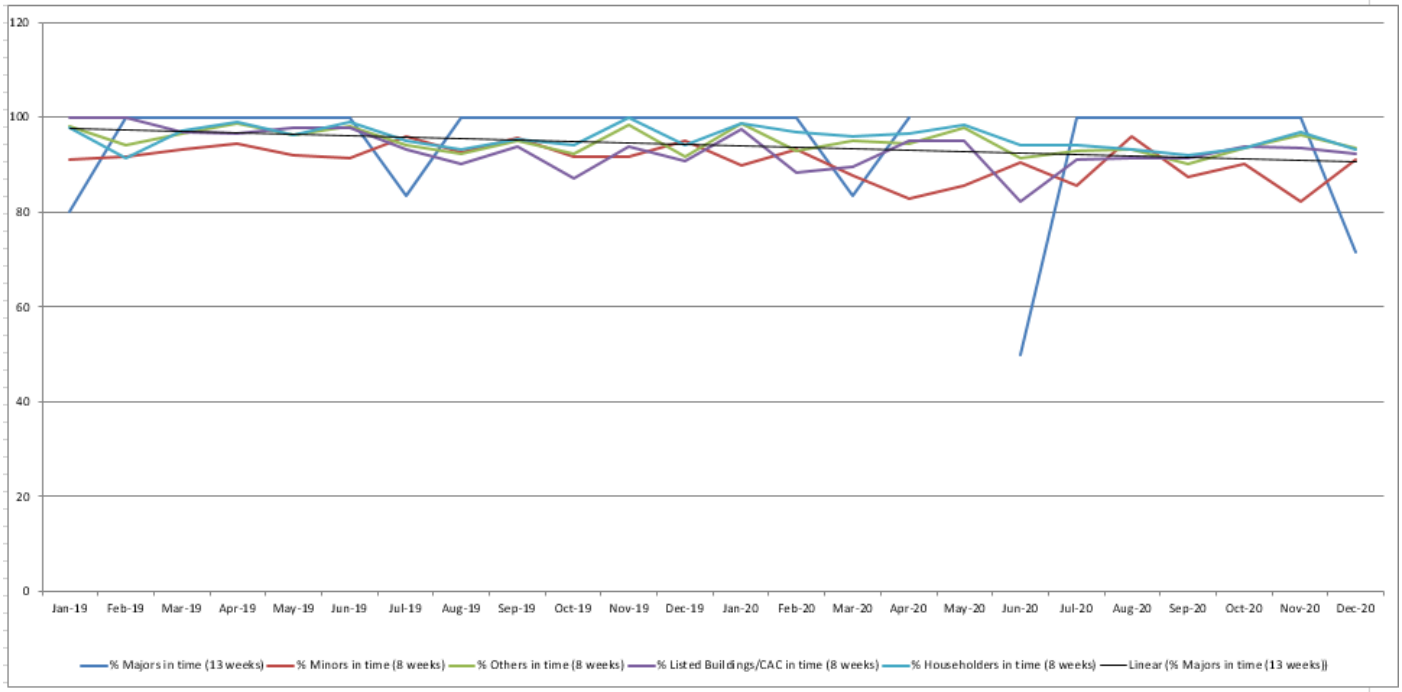
2 RECOMMENDATION

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%	(9/11) 82%	
% Minors in time	(125/135) 93%	(142/150) 95%	(115/124) 93%	(108/120) 90%	(81/94) 86%	(80/90) 89%	(89/101) 88%	
% Others in time	(485/497) 98%	(421/449) 94%	(373/397) 94%	(333/347) 96%	(325/344) 94%	(336/365) 92%	(370/393) 94%	

Highlights:

- All three categories have been above target consistently every quarter for 5 years.

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	695	
Withdrawn	45	50	51	49	58	67	41	
Delegated no. and %	630 (98%)	587 (96%)	518 (97%)	474 (97%)	436 (98%)	436 (94%)	486 (96%)	
Refused no. and %	31 (5%)	37 (6%)	30 (6%)	39 (8%)	39 (9%)	34 (7%)	50 (10%)	

Highlights:

- An 8% fall in planning application numbers compared to the previous 12 months – the last published national trend figure was a 9% decrease (Year ending Sept 2020).

- 7% rise in planning application numbers compared to the same quarter last year.
- The current delegation rate is marginally above the last published England average of 95% (Year ending Sept 2020).
- Percentage of refusals on planning applications remains low compared to the last published England average of 13% (Year ending Sept 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	0	
Major residential decisions granted	3	4	1	6	1	5	0	
Number of dwellings applied for on Major schemes	158	140	201	50	0	300	100	
Number of dwelling units permitted on schemes (net)	264	420	93	265	176	64	280	

Highlights:

- There were no major residential planning decisions last quarter

4 - Planning Appeals

	Jan – Mar 2020	**Apr – Jun 2020**	**Jul – Sep 2020**	**Oct – Dec 2020**
Appeals lodged	14	17	11	19
Appeals decided	12	13	13	17
Appeals allowed	3 (25%)	4 (30%)	4 (30%)	6 (35%)
Appeals dismissed	9 (75%)	9 (70%)	9 (70%)	11 (65%)

Highlights:

- Over the last 12 months performance on Appeals Allowed (30%) is around 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

	Jan – Mar 2020	**Apr – Jun 2020**	**Jul – Sep 2020**	**Oct – Dec 2020**
Investigations launched	138	140	150	105
Investigations in hand	220	257	258	252
Investigations closed	106	106	163	122
- No breach of planning	28	39	48	41
- Not Expedient	17	7	34	16
- Compliance negotiated	19	20	28	20

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

	Jan – Mar 2020	Apr – Jun 2020	Jul - Sep 2020	Oct – Dec 2020
Other types of work	336	263	336	347

7 – Works to Trees

	Jan – Mar 2020	Apr – Jun 2020	Jul – Sep 2020	Oct – Dec 2020
Number of applications for works to trees subject to a Tree Preservation Order (TPO)	26	16	24	42
Percentage of applications for works to trees subject to a TPO determined within 8 weeks	96%	100%	100%	100%
Number of notifications for works to trees within a Conservation Area (CA)	185	117	217	294
Percentage of notifications for works to trees within a Conservation Area (CA) determined within 6 weeks	99%	100%	100%	99%

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	Jan – Mar 20	Apr – Jun 20	Jul – Sep 20	Oct – Dec 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 was one case closed in the last quarter as being escalated prematurely by complainants and referred back to the council for consideration.

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. 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 **(2020/21)**	**£539,401.48**
CIL sums overview - Potential (April 2015 to date)	**£10,972,104.46**
CIL sums overview - Collected (April 2015 to date)	**£16,864,633.92**

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.*

	Jan – Mar 2020	Apr – Jun 2020	Jul – Sep 2020	Oct – Dec 2020
Chair referral delegated	16	21	17	28
Chair referral to Planning Committee	12	5	15	12

13 – 5 Year Housing Land Supply

5 year housing land supply

	Standard methodology				
A	Calculation based on standard method				
B	5 year supply requirement (648x5)		3,240		
C	Deliverable supply		3,755		
D	5 year requirement		3,240	Supply as a % of a requirement	Supply in years
E	5 year requirement + 5% buffer		3,402	110%	5.52

The figures within the housing trajectory have been collected as of March 2020 when the councils Core Strategy is more than 5 years old. Therefore the five year supply for 2020-2025 is calculated on the basis of the standard method for calculating local housing need whcih is an annual requirement of 648 per year.

The housing requirement within the Core Strategy does not include the student population so Purpose Built Student Accommodation is not included in the housing trajectory. However, the standard method makes no such alteration and includes student population growth. Therefore, if student accommodation were to be factored into the five year supply the following sites would be taken into account. The ratio of 2.5 bed spaces to one dwelling from the Housing Delivery Test Measurement Rule Book would apply.

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

Total – 161

If the number of bed spaces are added to the deliverable supply this results in a deliverable supply of 3916. **This amounts to a house land supply of 5.72 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	