

# Bath & North East Somerset Council

MEETING: Planning Committee

MEETING DATE: 18 October 2023

AGENDA ITEM NUMBER

TITLE: Quarterly Performance Report covering period 1 July – 30 September 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.*

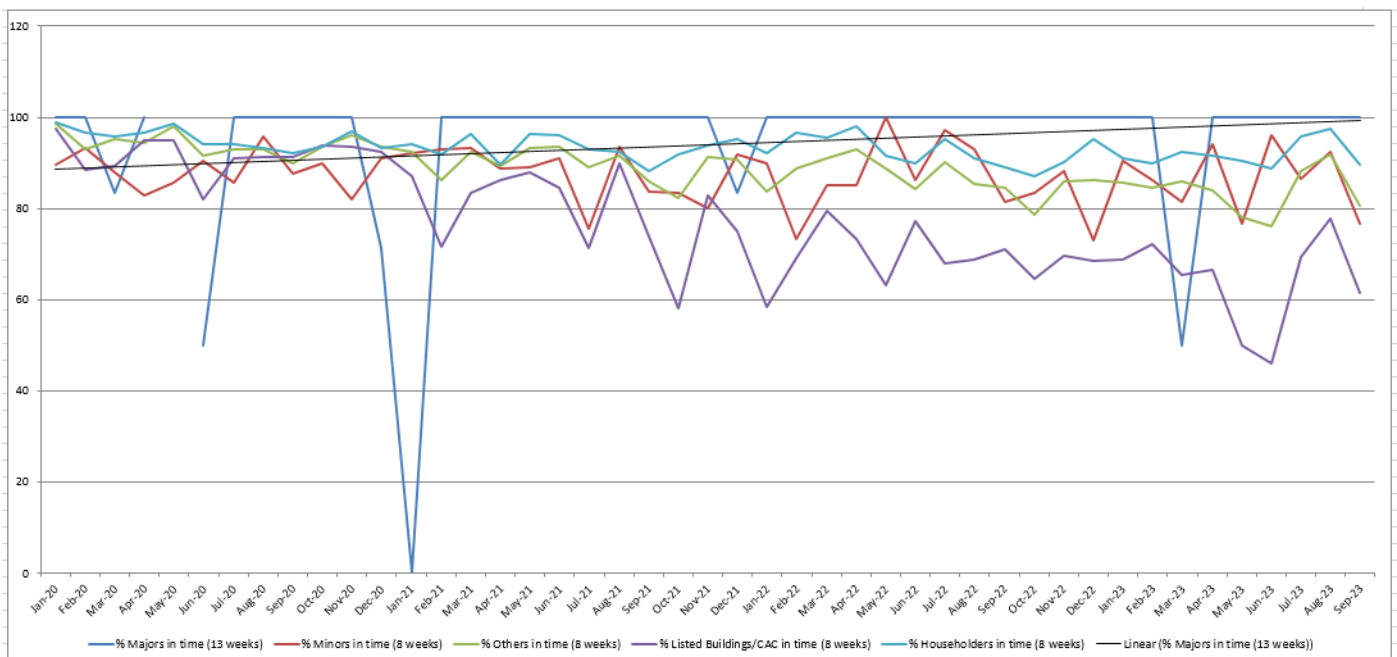
## 2 RECOMMENDATION

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			
	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2
% Majors in time	(8/9) 89%	(11/11) 100%	(4/4) 100%	(7/7) 100%	(7/7) 100%	(7/8) 88%	(8/8) 100%	(5/5) 100%
% Minors in time	(83/97) 86%	(78/94) 83%	(75/83) 90%	(93/103) 90%	(82/101) 81%	(78/91) 86%	(82/92) 89%	(75/88) 85%
% Others in time	(353/400) 88%	(379/431) 88%	(373/420) 89%	(332/383) 87%	(329/394) 84%	(318/372) 85%	(338/426) 79%	(311/359) 87%

**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			
	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2
Received	643	710	610	618	564	605	541	526
Withdrawn	47	60	51	42	76	54	70	45
Delegated no. and %	481 (95%)	526 (98%)	482 (95%)	472 (96%)	494 (98%)	461 (98%)	518 (98%)	449 (99%)
Refused no. and %	39 (8%)	42 (8%)	34 (7%)	30 (6%)	40 (8%)	26 (6%)	38 (7%)	30 (7%)

## **3 – Dwelling Decisions and Numbers**

Decisions on Major residential applications	2021-2022				2022-2023			
	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2
Decisions on Major residential applications (10 or more dwellings)	4	3	3	0	3	4	3	3
Major residential decisions granted	3	1	2	0	2	4	3	2
Number of dwellings applied for on Major schemes	502	103	300	776	65	0	428	70
Number of dwelling units permitted on schemes (net)	273	105	610	46	78	251	189	38

## **4 - Planning Appeals**

	Oct – Dec 2022	Jan – Mar 2023	Apr – Jun 2023	Jul – Sep 2023
Appeals lodged	21	15	15	14
Appeals decided	20	15	15	12

Appeals allowed	2 (10%)	9 (60%)	6 (40%)	5 (42%)
Appeals dismissed	18 (90%)	6 (40%)	9 (60%)	7 (58%)

## **5 - Enforcement Investigations**

	<b>Oct – Dec 2022</b>	<b>Jan – Mar 2023</b>	<b>Apr – Jun 2023</b>	<b>Jul – Sep 2023</b>
Investigations launched	122	124	131	123
Investigations in hand	441	474	510	423
Investigations closed	95	86	79	227
Enforcement Notices issued	1	0	6	2
Planning Contravention Notices served	0	6	3	5
Breach of Condition Notices served	1	0	0	1
Stop Notices	0	0	0	0
Temporary Stop Notices	0	0	0	1
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

	<b>Oct – Dec 2022</b>	<b>Jan – Mar 2023</b>	<b>Apr – Jun 2023</b>	<b>Jul – Sep 2023</b>
Other types of work	352	350	345	341

## **7 – Works to Trees**

	<b>Oct – Dec 2022</b>	<b>Jan – Mar 2023</b>	<b>Apr – Jun 2023</b>	<b>Jul – Sep 2023</b>
Number of applications for works to trees subject to a Tree Preservation Order (TPO)	37	18	15	19
Percentage of applications for works to trees subject to a TPO determined within 8 weeks	95%	89%	87%	95%
Number of notifications for works to trees within a Conservation Area (CA)	216	187	159	243
Percentage of notifications for works to trees within a Conservation Area (CA) determined within 6 weeks	94%	95%	97%	97%

## **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>Oct – Dec 22</b>	<b>Jan – Mar 23</b>	<b>Apr – Jun 23</b>	<b>Jul – Sep 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 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 <b>(2023/24)</b>	<b>£182,624.78</b>
CIL sums overview – Potential Liability amount (April 2015 to date)	<b>£10,817,220.40</b>
CIL sums overview – Paid (April 2015 to date)	<b>£28,489,289.81</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>Oct – Dec 2022</b>	<b>Jan – Mar 2023</b>	<b>Apr – Jun 2023</b>	<b>Jul – Sep 2023</b>
Chair referral delegated	15	18	16	2
Chair referral to Planning Committee	3	4	6	6

## **12 – 5 Year Housing Land Supply**

### **5 year housing land supply**

A	Total planned housing 2011-2029		13,000
B	Completions 2011-2022	2011-2021	8,784
C	Plan requirement	2011-2027	11,552
D	5 year supply requirement (100%)	2022-2027	2,768
E	5 year supply requirement (with 5% buffer)	2022-2027	2,906
G	Deliverable supply (#)	2022-2027	4,246
H	Deliverable supply buffer (%)	2022-2027	53%
I	Deliverable supply (#) over 100% requirement	2022-2027	1,478
J	Deliverable supply (#) over 105% requirement	2022-2027	1,340

A	Alternative Calculation Method			
B	5 year supply requirement (722x5)		3,610	
C	Surplus/deficit		842	
D	Deliverable supply		4,246	
E	5 year requirement + backlog/surplus		2,768	Supply as a % of requirement
F	5 year requirement + backlog/surplus +5% buffer		2,906	146%
				Supply in years
				7.30

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
23/01759/FUL	8 Rennie CloseBathwickBath And North East SomersetBA2 4GZ	Erection of a ground floor extension to the rear and installation of 1 no. roof light.	COMMDC	24-Aug-23	PERMIT	Application was called to committee by Cllrs Deborah Collins and Cllr Alison Born.
23/01873/PIP	62 St Clement's RoadKeynshamBristolBath And North East SomersetBS31 1AH	Application for Permission in Principle for the development of the site to provide a minimum of four dwellings and a maximum of five dwellings, together with associated hard/soft landscape works and drainage.	CHAIR	04-Aug-23	PERMIT	Chair referral delegated decision
23/01675/FUL	The Surgery Dark LaneFreshfordBathBath And North East SomersetBA2 7TT	Alterations of the existing building (Proposing new door and window openings, internal staircases from ground floor to first floor and from first floor to the loft) and loft conversion.	CHAIR	16-Aug-23	PERMIT	Chair referral delegated decision
22/04498/FUL	The Cottage Sutton Hill RoadBishop SuttonBristolBath And North East SomersetBS39 5UR	Single Storey Front Extension (Resubmission)	COMMDC	24-Aug-23	PERMIT	Chair referral to committee. I note the detailed commentary of Stowey Sutton Parish Council and the assertion that the application complies with the local Neighbourhood Plan. The site is constrained and currently largely obscured. The committee might wish to consider the particular circumstances in this location, the styling and materials proposed, and the impact and stated purpose of the extension.
22/01862/LBA	The Old Farmhouse WithyditchDunkertonBath And North East SomersetBA2 8AY	Internal and external alterations for the replacement of an existing single-storey rear extension, adjustments to an existing two-storey rear extension and removal of a single-storey lean-to structure.	COMMDC	27-Jul-23	CON	Chair referral to committee. I note the strong letter of support for this application from Dunkerton and Tunley Parish Council which addresses material planning issues. The proposal may ameliorate existing harm to the listed building. The application concerns a listed building in green belt and ecological matters. These issues are of public interest and the application should be debated and determined at committee.
22/01861/FUL	The Old Farmhouse WithyditchDunkertonBath And North East SomersetBA2 8AY	Replacement of an existing single-storey rear extension, adjustments to an existing two-storey rear extension and removal of a single-storey lean-to structure.	COMMDC	27-Jul-23	PERMIT	Chair referral to committee. I note the strong letter of support for this application from Dunkerton and Tunley Parish Council which addresses material planning issues. The proposal may ameliorate existing harm to the listed building. The application concerns a listed building in green belt and ecological matters. These issues are of public interest and the application should be debated and determined at committee.



22/03580/FUL	Former Welton Bibby And Baron FactoryStation RoadWeltonMidsomer NortonBath And North East Somerset	Application for 'enabling works' in preparation for the Policy SSV4 site redevelopment including demolition, groundworks, flood mitigation and formation of 2m footpath along Station Road frontage.	COMMDC	24-Aug-23	RF	Chair referral to committee. The application, if approved, would involve a departure from the development plan. The application proposes demolition of a non-designated heritage asset. The site and the proposals will have wide public interest. I believe that the weighing of the planning balance – harm v benefits – should be determined in public by the committee.
23/00895/FUL	Waterworks Cottage Charlcombe WayFairfield ParkBathBath And North East SomersetBA1 6JZ	Erection of two detached dwellings with associated means of access, car parking and associated infrastructure following demolition of existing dwelling and outbuilding (Resubmission).	COMMDC	27-Jul-23	PERMIT	the latest in a series of applications proposing development on this site. I note the comments of Charlcombe PC and the ward councillors as well as the comments from many members of the public and interest groups. The case officer has set out the reasons for her recommendation. In view of the widespread public interest, it is best if the planning history is explained and the planning issues are considered and
22/04431/FUL	Regency Laundry Service Lower Bristol RoadWestmorelandBath And North East SomersetBA2 3BX	Redevelopment of the former laundry services site to provide three storey building plus inset mansard roof comprising self-storage units (Use Class B8) with ancillary Business Centre Facility, signage and associated works	COMMDC	27-Jul-23	PERMIT	Chair referral to committee. This site holds significance for those living close by and for the wider public because of its prominent location and commercial history. This is a major redevelopment with many planning considerations. These should be considered in public. I refer the determination to the planning committee.
23/02945/TCA	Orchard Cottage Dovers LaneBathfordBathBath And North East SomersetBA1 7SX	T1-cypress, fell	COMMDC	20-Sep-23	NOOBJ	The notification relates to an employee of the council's tree.

<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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