

Bath & North East Somerset Council

MEETING: Planning Committee

MEETING DATE: 27 July 2022

AGENDA
ITEM
NUMBER

TITLE: Quarterly Performance Report covering period 1 April – 30 June 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.

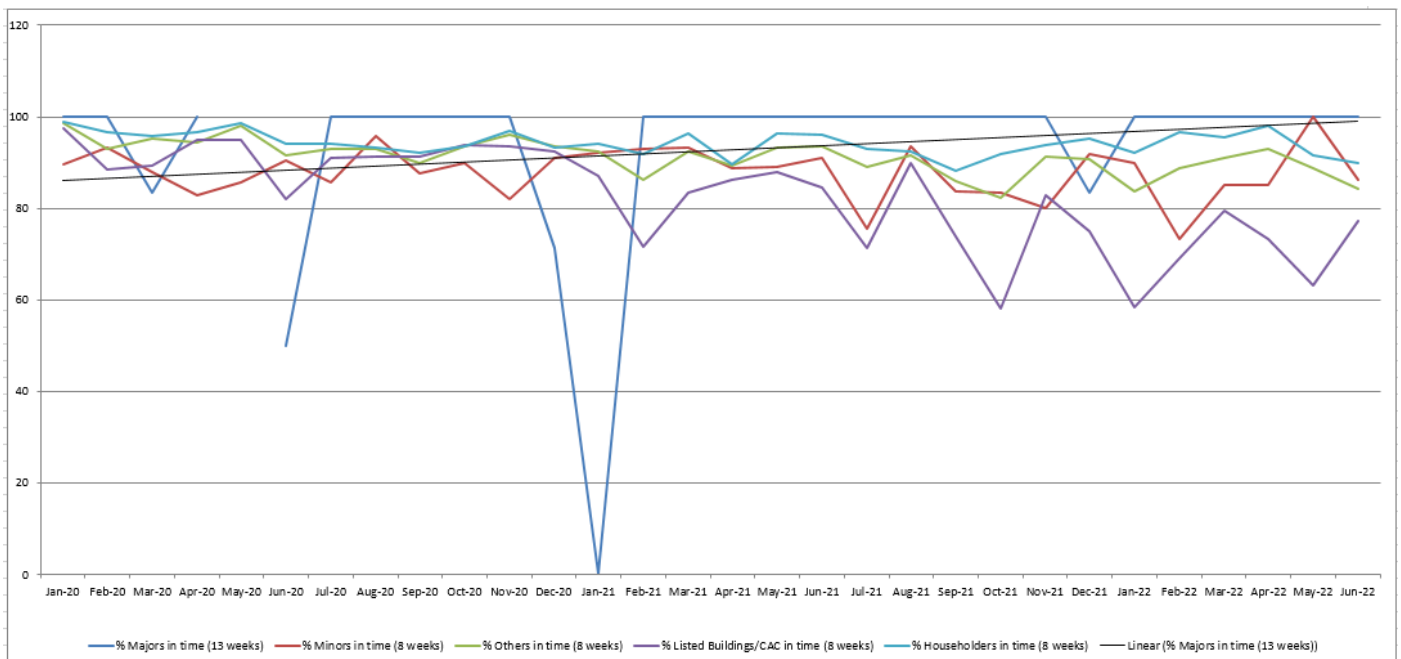
2 RECOMMENDATION

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 | | | |
|------------------------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|
| | Q2 | Q3 | Q4 | Q1 | Q2 | Q3 | Q4 | Q1 |
| % Majors in time | (9/9) 100% | (9/11) 82% | (4/5) 80% | (10/10) 100% | (8/8) 100% | (8/9) 89% | (11/11) 100% | (4/4) 100% |
| % Minors in time | (80/90) 89% | (89/101) 88% | (129/139) 93% | (96/107) 90% | (94/113) 83% | (83/97) 86% | (78/94) 83% | (75/83) 90% |
| % Others in time | (336/365) 92% | (370/393) 94% | (401/443) 91% | (487/529) 92% | (411/463) 89% | (353/400) 88% | (379/431) 88% | (373/420) 89% |

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 | | | |
|---------------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|
| | Q2 | Q3 | Q4 | Q1 | Q2 | Q3 | Q4 | Q1 |
| Received | 599 | 695 | 768 | 774 | 621 | 643 | 710 | 610 |
| Withdrawn | 67 | 41 | 58 | 60 | 45 | 47 | 60 | 51 |
| Delegated no. and % | 436 (94%) | 486 (96%) | 570 (97%) | 633 (97%) | 556 (95%) | 481 (95%) | 526 (98%) | 482 (95%) |
| Refused no. and % | 34 (7%) | 50 (10%) | 30 (5%) | 39 (6%) | 34 (6%) | 39 (8%) | 42 (8%) | 34 (7%) |

3 – Dwelling Numbers

| Dwelling numbers | 2020-2021 | | | | 2021-2022 | | | |
|---|-----------|-----|-----|-----|-----------|-----|-----|-----|
| | Q2 | Q3 | Q4 | Q1 | Q2 | Q3 | Q4 | Q1 |
| Major residential (10 or more dwellings) decisions | 8 | 0 | 1 | 4 | 2 | 4 | 3 | 3 |
| Major residential decisions granted | 5 | 0 | 1 | 3 | 2 | 3 | 1 | 2 |
| Number of dwellings applied for on Major schemes | 300 | 100 | 423 | 0 | 10 | 502 | 103 | 300 |
| Number of dwelling units permitted on schemes (net) | 64 | 280 | 393 | 143 | 88 | 273 | 105 | 610 |

4 - Planning Appeals

| | Jul – Sep 2021 | Oct – Dec 2021 | Jan – Mar 2022 | Apr – Jun 2022 |
|-------------------|----------------|----------------|----------------|----------------|
| Appeals lodged | 17 | 14 | 24 | 20 |
| Appeals decided | 14 | 21 | 21 | 19 |
| Appeals allowed | 3 (23%) | 8 (42%) | 4 (21%) | 4 (21%) |
| Appeals dismissed | 10 (77%) | 11 (58%) | 15 (79%) | 15 (79%) |

5 - Enforcement Investigations

| | Jul – Sep 2021 | Oct – Dec 2021 | Jan – Mar 2022 | Apr – Jun 2022 |
|---------------------------------------|---------------------------|---------------------------|---------------------------|---------------------------|
| Investigations launched | 119 | 61 | 118 | 113 |
| Investigations in hand | 264 | 263 | 298 | 356 |
| Investigations closed | 137 | 70 | 86 | 58 |
| Enforcement Notices issued | 2 | 2 | 0 | 0 |
| Planning Contravention Notices served | 2 | 3 | 1 | 4 |
| 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 |

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

| | Jul – Sep 2021 | Oct – Dec 2021 | Jan – Mar 2022 | Apr – Jun 2022 |
|---------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| Other types of work | 346 | 323 | 385 | 342 |

7 – Works to Trees

| | Jul – Sep 2021 | Oct – Dec 2021 | Jan – Mar 2022 | Apr – Jun 2022 |
|--|---------------------------|---------------------------|---------------------------|---------------------------|
| Number of applications for works to trees subject to a Tree Preservation Order (TPO) | 29 | 27 | 28 | 23 |
| Percentage of applications for works to trees subject to a TPO determined within 8 weeks | 97% | 89% | 86% | 96% |
| Number of notifications for works to trees within a Conservation Area (CA) | 184 | 250 | 177 | 148 |
| Percentage of notifications for works to trees within a Conservation Area (CA) determined within 6 weeks | 93% | 97% | 98% | 96% |

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 | Jul – Sep 21 | Oct – Dec 21 | Jan – Mar 22 | Apr – Jun 22 |
|-----------------------|--------------|--------------|--------------|--------------|
| Complaints upheld | 0 | 0 | 1 | 0 |
| Complaints Not upheld | 0 | 1 | 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 (2022/23) | £9,151.82 |
| CIL sums overview - Potential (April 2015 to date) | £12,950,838.25 |
| CIL sums overview - Collected (April 2015 to date) | £22,827,800.16 |

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.

| | Jul – Sep 2021 | Oct – Dec 2021 | Jan – Mar 2022 | Apr – Jun 2022 |
|--------------------------------------|----------------|----------------|----------------|----------------|
| Chair referral delegated | 21 | 24 | 19 | 11 |
| Chair referral to Planning Committee | 8 | 11 | 11 | 10 |

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 | Supply as a % of a requirement |
| E | 5 year requirement + 5% buffer | | 3,549 | 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 |
|----------------|---|---|----------------|---------------|--------|--|
| 22/00380/FUL | King Edwards School North Road Bathwick Bath And North East Somerset BA2 6HY | Replacement of the building's east facade with new curtain walling. | COMMDC | 07-Apr-22 | PERMIT | Applicant is a Councillor |
| 22/00598/TCA | Audley House Park Gardens Lower Weston Bath And North East Somerset BA1 2XP | Cypress - Remove Cherry - Remove Cedar x2 - Remove broken limbs | COMMDC | 07-Apr-22 | NOOBJ | Applicant is a Councillor |
| 20/03071/EFUL | Dick Lovett (bath) Ltd Wells Way Garage Lower Bristol Road Westmoreland Bath And North East Somerset BA2 3DR | Demolition of existing buildings and mixed-use redevelopment of the site comprising the erection of residential units (Class C3); erection of purpose built managed student accommodation (Sui Generis); flexible commercial floorspace (Class E); associated p | COMMDC | 19-Apr-22 | PERMIT | Application is subject to a viability assessment in respect of affordable housing and in accordance with the scheme of delegation is being reported to the Planning Committee. |
| 22/00576/VAR | Fieldside Ashton Hill Corston Bath And North East Somerset BA2 9EY | Variation of condition 4 of application 16/01987/FUL (Erection of 1no. detached dwelling following demolition of empty property and associated outbuildings (Revised Application)). | CHAIR | 11-Apr-22 | PERMIT | Chair referral delegated decision |
| 22/00410/VAR | 9A Upper Bloomfield Road Odd Down Bath And North East Somerset BA2 2RY | Variation of condition 14 (plans list) of application 16/06053/FUL (Erection of apartment block comprising of 8 no. self-contained studio flats following demolition of existing office and flat). | CHAIR | 14-Apr-22 | PERMIT | Chair referral delegated decision |
| 22/01227/PIP | West Holme 19 Dene Road Whitchurch Bristol Bath And North East Somerset BS14 0PG | Erection of one dwelling to the rear of the existing dwelling following demolition of existing garage. | CHAIR | 16-May-22 | PERMIT | Chair referral delegated decision |
| 21/05219/FUL | Parcel 0043 Breach Hill Common Chew Stoke Bristol Bath And North East Somerset | Erection of extensions to existing agricultural barn and inclusion of mezzanine floor. | CHAIR | 23-May-22 | PERMIT | Chair referral delegated decision |
| 21/01785/FUL | Telecommunications Mast 121577 Broadlands School St Francis Road Keynsham Bath And North East Somerset | Replacement of the existing 15m monopole (17.9m to the top of antennas) with a new 20m monopole (top of antennas), accommodating 6no. antennas, 1no. microwave dish, the installation of RRU's, the replacement / installation of equipment within the existing | CHAIR | 25-May-22 | PERMIT | Chair referral delegated decision |
| 22/00996/FUL | 2 Orchard Close Keynsham Bristol Bath And North East Somerset BS31 2EG | Erection of single-storey rear extension following demolition of existing rear extensions. | CHAIR | 30-May-22 | PERMIT | Chair referral delegated decision |

| | | | | | | |
|--------------|---|---|--------|-----------|--------|---|
| 22/00474/FUL | 15 Rush Hill Odd Down Bath Bath And North East Somerset BA2 2QN | Change of use from C3 (Residential) 3/4 bedroom dwelling to C4 (HMO) six bedroom dwelling with loft conversion with dormer and associated landscaping and parking space | CHAIR | 30-May-22 | PERMIT | Chair referral delegated decision |
| 22/00961/FUL | Clandown Stores 1 Fosse Way Clandown Radstock Bath And North East Somerset BA3 3BL | Change of use of shop and cellar (Use Class E) to additional residential accommodation (Use Class C3) (Resubmission) | CHAIR | 31-May-22 | RF | Chair referral delegated decision |
| 22/01148/FUL | 25 Crandale Road Twerton Bath Bath And North East Somerset BA2 3HX | Erection of rear dormer. | CHAIR | 31-May-22 | PERMIT | Chair referral delegated decision |
| 22/01611/FUL | Midsomer Mead Church Lane Sutton Bristol Bath And North East Somerset BS39 SUP | Erection of a single-storey timber ancillary annexe. | CHAIR | 09-Jun-22 | PERMIT | Chair referral delegated decision |
| 19/05512/FUL | The Yard Northend Batheaston Bath BA1 7ES | Demolition of existing buildings and erection of new building (Class E Business use). | CHAIR | 15-Jun-22 | PERMIT | Chair referral delegated decision |
| 22/00294/FUL | Durley Grange Durley Lane Keynsham Bristol Bath And North East Somerset BS31 2AQ | Erection of a new outbuilding to an existing dwelling, incorporating an existing garage with new garden room and garden equipment storage space (Resubmission). | COMMDC | 05-May-22 | PERMIT | Chair referral to committee. I have read and carefully reviewed the arguments put forward by the applicant to justify this building in the green belt. As was the case when this proposal was previously referred, I remain to be persuaded that a large 2 storey outbuilding is necessary for the function described, and that the very special circumstances carry sufficient weight to counter the harm that this development may cause to the openness in the green belt. However, as the applicant has made adjustments to the height and added further information to support the VSC, I agree that the case would benefit from public debate at committee. |

| | | | | | | |
|--------------|--|--|--------|-----------|--------|---|
| 21/04049/FUL | The ScalaShaftesbury RoadOldfield ParkBathBath And North East SomersetBA2 3LH | Redevelopment of The Scala site including the demolition of existing extensions and new extensions to improve retail store at ground floor level, provide a new community space and student accommodation (16no bed spaces) at first floor levels. Erection of | COMMDC | 22-Apr-22 | PERMIT | Chair referral to committee. I have reviewed this application and note the comments and objections raised against it. The reduction in height of the Courtyard Building is welcome and addresses the main objection raised against the previous submission made for this development. In the interests of consistency, I recommend that this application is once again debated in public by the planning committee. |
| 22/00631/LBA | 10 Highbury PlaceWalcotBathBath And North East SomersetBA1 6DU | External alterations for the creation of new parking bay (Resubmission). | COMMDC | 05-May-22 | CON | Chair referral to committee. I have reviewed this application and note the comments from ward councillors. In view of the previous appeal decision in a nearby property, I think it would be worth having this application debated at planning committee. |
| 22/00630/FUL | 10 Highbury PlaceWalcotBathBath And North East SomersetBA1 6DU | Creation of new parking bay (Resubmission). | COMMDC | 05-May-22 | PERMIT | Chair referral to committee. I have reviewed this application and note the comments from ward councillors. In view of the previous appeal decision in a nearby property, I think it would be worth having this application debated at planning committee. |
| 21/05364/FUL | 16 Broadlands AvenueKeynshamBristolBath And North East SomersetBS31 2DU | Erection of front, side and rear extension. Provision of attic conversion and garden room. | COMMDC | 07-Apr-22 | PERMIT | Chair referral to committee. I have reviewed this application and note the objections from Keynsham Town Council, the ward councillor and other third parties. The officer has worked with the applicant to modify various aspects of the proposal during the application process but concerns remain due to the overall volume of change and size of the development. For this reason, I believe it would benefit from being debated at committee. |
| 21/05622/FUL | 36 Naishes AvenuePeasedown St. JohnBathBath And North East SomersetBA2 8TW | Erection of a two storey side extension and single storey rear extension (Resubmission). | COMMDC | 01-Jun-22 | PERMIT | Chair referral to committee. I have reviewed this application and note the objections from PSJ parish council, other 3rd parties and in particular, from Highways. Given that the objection from Highways has been sustained despite changes made to the proposal, I believe this would benefit from being debated at committee. |
| 21/03965/FUL | Manor HouseWatery LaneBurnettKeynshamBristolBath And North East SomersetBS31 2TF | Installation of solar PV panels and ground source heat pump pipe work to eastern paddock to provide renewable energy sources for manor house. Connection of pipework to existing lower ground floor plant room. | COMMDC | 07-Apr-22 | RF | Chair referral to committee. I have reviewed this application and note the opposing comments from the ward councillor and parish council, plus the comments from other 3rd parties. Notwithstanding the fact that all applications are judged on their own merits, I believe that this case provides an opportunity to debate, in a public forum, a degree of harm to a listed building vs climate change mitigation. I therefore refer this application to the planning committee for a |
| 21/03966/LBA | Manor HouseWatery LaneBurnettKeynshamBristolBath And North East SomersetBS31 2TF | Internal and external alterations for the installation of solar PV panels and ground source heat pump pipe work to eastern paddock to provide renewable energy sources for manor house. Connection of pipework to existing lower ground floor plant room. | COMMDC | 07-Apr-22 | RF | Chair referral to committee. I have reviewed this application and note the opposing comments from the ward councillor and parish council, plus the comments from other 3rd parties. Notwithstanding the fact that all applications are judged on their own merits, I believe that this case provides an opportunity to debate, in a public forum, a degree of harm to a listed building vs climate change mitigation. I therefore refer this application to the planning committee for a decision. |
| 21/05683/FUL | Bromley MountBromley RoadStanton DrewBristolBath And North East SomersetBS39 4DE | Erection of 1no. 4bed dwellinghouse | COMMDC | 07-Apr-22 | RF | Chair referral to committee. I have reviewed this application and note the support comments from the ward councillor and Stanton Drew Parish Council. The applicant is requesting permission now, to rebuild including the potential 30% additional size allowance which may be granted in future, were a further application to be submitted. The grounds put forward for this are that it is environmentally advantageous to do so and the proposed safeguard against further expansion would be conditioning that permitted development rights are removed. This has previously been, and still is, refused on the grounds of inappropriate development in the green belt. I believe that this would benefit from public debate at planning committee. |
| 21/03682/FUL | Church FarmChurch LanePristonBathBath And North East SomersetBA2 9EF | Erection of two dwellings and associated works, to follow demolition of existing equestrian related barns. | COMMDC | 07-Apr-22 | PERMIT | Chair referral to committee. I have reviewed this application carefully and have read all the comments and objections. The officer has worked with applicant to address most of the issues raised however concerns remain, both about the presence of new development on this plot and the size of the footprint it will occupy, which have been articulated by CPRE, Priston Parish Council and a number of 3rd parties. For this reason, I believe it would benefit from being debated in a public forum by the planning committee. |

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| 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 | |