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North Somerset Council

Item 7

REPORT TO THE PLANNING & REGULATORY COMMITTEE

DATE OF MEETING: 18 NOVEMBER 2020

**SUBJECT OF REPORT: 2ND QUARTER PLANNING PERFORMANCE
2020/21**

TOWN OR PARISH: ALL

OFFICER PRESENTING: HEAD OF PLANNING

KEY DECISION: NO

RECOMMENDATIONS:

That the report be **NOTED**.

1. SUMMARY OF REPORT

The service continues to contribute to delivering the Council's vision and priorities to deliver an open, fairer, greener North Somerset as set out in the report.

2. POLICY

The Corporate Plan updated in August sets out the Council's vision for North Somerset. The Council's vision is to secure "an open, fairer, greener North Somerset". The 3 core priorities are to be:

- a thriving and sustainable place
- a council which empowers and cares about people
- an open and enabling organisation

These priorities set the direction for Directorate and Team planning. As part of this, the Planning and Building Control service contributes to corporate performance indicators (KCPI's) to track how it is working to deliver the council's priorities. These include progress against key milestones for progressing the new Local Plan; five year housing land supply; performance against targets for major and minor planning applications; projects related to the Heritage Action Zone (HAZ); and progressing council development projects.

Within this framework, the service has a number of specific performance indicators as set out in table 1.

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Table 1 Dashboard of Service performance indicators

Indicator	Target
% of all planning applications determined within target	> 80%
% of major planning applications determined within target	> 70%
% of minor planning applications determined within target	> 75%
% of other planning applications determined within target	> 86%
% of appeals that were allowed against a planning refusal	<30%
% of enforcement notices upheld on appeal	>90%

Performance against these indicators is addressed below.

3. DETAILS

Planning application and enforcement performance (Q2)

The performance for the second quarter of 2020/21 is set out in table 2 below. Performance for the comparable quarter of the previous financial year (2019/20) is shown in column two for comparison. Additional indicators focussing on the key enablers are also included.

Table 2

Performance Indicator	Q2 19/20	Q1 20/21	Q2 20/21	Year 20/21	Target 20/21
% Of all applications determined < 8 Weeks or agreed time limit	95.0%	89.1%	91.0%	90.0%	>80%
% Of major applications determined in <13 Weeks or agreed time limit	75.0%	80.0%	63.6%	71.43%	>70%
% Of minor applications determined in <8 Weeks or agreed time limit	95.6%	87.4%	86.3%	86.83%	>75%
% Of other applications determined in <8 Weeks or agreed time limit	95.8%	89.1%	93.7%	91.73%	>86%
% Of all appeals that were allowed against a planning refusal	31.25%	23.08%	31.33%	27.27%	<30%
% Of enforcement notices upheld on appeal	0%	0%	0%	0%	>90%
% of applications that are delegated to officers	95.82%	95.62%	93.57%	94.63%	>90%
Registration of Major applications within 10 working days of receipt	100%	100%	100%	100%	>90%

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All staff have been working from home since the end of March due to the Covid-19 restrictions. This has required a change in operational arrangements which, coupled with the nature and complexity of work, is stretching resources. Performance has been managed by agreeing extensions of determination times with applicants. It should be noted however that capacity constraints in other service areas (e.g.: highways, drainage, ecology) are also impacting on the speed with which planning applications are determined. Delay can increase the risk of fees having to be refunded under the national Planning Guarantee unless applicants agree to an extension to time to determine planning applications.

Table 3 shows the appeal success against the refusal of planning permissions (excluding enforcement appeals) and includes performance against all appeals decided, regardless of whether the decision was under delegated powers or by committee.

Table 3 Appeals Decided

Performance (Planning Appeals)	Q1	Q2	Q3	Q4	Year 20/21 to date
Appeals received	14	9			23
Appeals decided	6	13			19
Appeals dismissed	6	10			16
% of appeals dismissed from appeals decided (target >70% dismissed)	100%	77%			84%
% of appeals allowed in cases where Committee refused permission contrary to officer recommendation to approve	0%	0%			0%

The table below sets out the track record on the major housing appeals.

Application no	Site	Decision date	Decision
14/P/1901/O	Brinsea Rd, Congresbury	30/11/15	Dismissed
15/P/0583/O	North of A368, Sandford	12/10/16	Allowed
15/P/0248/O	Knightcott Rd, Banwell	13/10/16	Dismissed
15/P/0983/O	Wentwood Drive, WsM	2/12/16	Allowed
15/P/0167/O	Bleadon Hill, Bleadon	2/03/17	Dismissed
16/P/0150/O	Oldmixon Road, WsM	10/04/17	Allowed
15/P/2828/O	Wrington Lane, Congresbury	14/06/17	Dismissed
16/P/1291/O	Cox's Green, Wrington	23/11/17	Allowed
16/P/1707/O	Brinsea Road, Congresbury	13/12/17	Dismissed
15/P/1918/O	Stowey Road, Yatton	2/01/18	Dismissed
15/P/0315/O	Farleigh Fields, Backwell	28/03/18	Dismissed
16/P/0329/O	Laneys Drove, Locking.	18/06/18	Dismissed

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17/P/2111/O	Weston Trade Centre, Banwell	3/01/19	Dismissed
17/P/2344/O	Lostwood, Langford, Churchill	11/02/19	Dismissed
17/P/0887/O	North of Greenhill Rd, Sandford	10/06/19	Dismissed
16/P/1677/OT2	Youngwood Lane Nailsea	29/11/19	Allowed
18/P/2423/OUT	Crookes Lane, Kewstoke	31/10/19	Dismissed
18/P/2652/OUT	Elm Grove Nursery, Locking	16/12/19	Dismissed
17/P/5545/OUT	Land off Bleadon Road, Bleadon	5/2/20	Dismissed

Table 4 shows the total number of appeals and the totals for the various types of appeal processes.

Table 4 Appeals Received

Appeal Types Received* (Planning Appeals)	Total 14/15	Total 15/16	Total 16/17	Total 17/18	Total 18/19	Total 19 /20	Q2 Total	Total 20/21
Public Inquiries	3	2	6	1	2	3	0	0
Hearings	6	1	2	0	2	2	2	2
Written Representations	31	43	28	59	49	55	7	21
Totals	40	46	36	60	53	60	9	23

* Whilst a public inquiry has taken place in this quarter, the table relates to the date when the appeal was received rather than when the appeal itself takes place.

It should be noted that public inquiries and hearings are resource intensive and put significant pressure on staff and financial resources which impacts on other work areas.

Enforcement Performance

The council's Local Enforcement Plan was updated and agreed by the Committee in November 2019 and determines the priority accorded to each case. Updates are produced for Parish and Town Councils to allow them to track progress on enforcement cases in their parishes. The team is managing high volumes of cases with an increase in work arising during the Covid-19 lockdown. Together with related appeal work this means the team has to prioritise very tightly resulting in cases are taking longer to resolve than might normally be the case. Appeal success rate remains good. Table 6 sets out the number of notices served.

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Table 6

Notices Served	Q2 20/21	Total 20/21	Total 19/20	Total 18/19	Total 17/18	Total 16/17	Total 15/16
*PCN's and 330 Notices	2	17	43	31	41	45	52
**BCN's	0	0	0	2	5	1	0
Enforcement Notices	8	13	16	19	17	22	14
Stop Notices	0	0	0	0	0	0	0
Temporary Stop Notices	0	0	0	0	1	0	0
Injunctions	0	0	0	0	0	0	1
***Section 215 Notices	0	0	0	3	0	1	0

* Planning Contravention Notice

** Breach of Condition Notice

*** Notices that deal specifically with the visual amenity of land/buildings.

As well as formal enforcement action being taken through the issuing of formal notices and the instigation of prosecution action the Enforcement team has been active in resolving cases without the need for formal action. This is done by negotiation and in liaison with its partners.

Resource Management

The volume of the main work areas is set in table 7

Table 7

Performance Target	Q2 19/20	Q1 20/21	Q2 20/21	Year 20/21
No. of applications received	398	364	453	817
No. of planning and enforcement appeals received	23	18	13	31
Reported alleged breaches of planning control (Enforcement)	159	159	151	310

Budget savings are being achieved through vacancy management in accordance with the Council's financial management strategy. Income is generated through planning application fees, pre-application and permitted development advice,

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planning performance agreements and searches of the Historic Environment Record. There are income targets for each fee earning area, the largest being for planning application fees. Fee income for the first half of this year is down on forecast due to the effect of the pandemic in the first quarter of the year. It has improved in Q2 and is being closely monitored but is currently forecast to be approximately £300k below budget.

Plan making costs are significant with the Council responsible for the costs of the examination process for statutory planning documents. The Local plan “Challenges” consultation process took place during Q2 with the “Choices” consultation due to take place in Q3. Public inquiries incur significant additional expenditure on legal and, where applicable, consultancy advice. In this respect, Bristol Airport gave notice in September of an appeal against the refusal of planning permission by the Council. This will result in the council incurring significant expenditure.

Staffing

A member of the Applications & Consents team is due to return from maternity leave shortly. A temporary replacement is in post in the meantime. Two Principal Planning Officers appointments have been made with Ursula Fay joining the Strategic Developments team and Terry Karampini moving into the Planning Policy team Charles Cooksley has been recruited to the Applications & Consents Team to fill the vacancy arising from the internal team move.

Service Transformation

A phase 2 project to implement further modules in the new back office ICT system (Uniform) has concluded. Paperless working for minor applications was introduced in January and is now being introduced for major applications. A wider Directorate Transformation Programme is planned to commence in Q4.

Housing land supply

The number of major housing appeals has arisen largely as a result of the Council’s 5 year housing supply position.

The council’s most recently published land supply position dates back to April 2019, when it was asserted that we could demonstrate 4.4 years supply. This figure was tested through a public inquiry into Land at Bleadon Road and the Inspector’s decision dated January 2020 confirmed that the broad magnitude of supply was around 4 years. This means that we need to identify a further 2,000 units of supply to restore the position to five years, by bringing forward the already identified allocations and granting further permissions.

Work is being finalised on the April 2020 five year land supply position statement, which has been delayed this year due to the Covid-19 restrictions on non-essential travel and social distancing impacting on site visits. Whilst trajectory work is still ongoing, early indications are that housing completion figures are up on last year, and the stock of planning permissions and sites under construction is higher than in recent years.

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As well as maintaining a supply of deliverable sites going forwards, the council are also assessed on the past three year's performance of housing delivery against targets, in the form of the Housing Delivery Test. Our most recent result (2016-2019) shows that we achieved 78%. Whilst this is an improvement on the previous result of 73% it does mean that we need to produce a Housing Delivery Test Action Plan, to identify what may be causing the under delivery, and suggest actions that could boost supply in future.

4. CONSULTATION

All policy documents and planning applications are the subject of consultation. Prior to lockdown, regular liaison meetings took place with Town and Parish Councils and an Agents forum to discuss service issues.

5. FINANCIAL IMPLICATIONS

As set out in the report.

6. EQUALITY IMPLICATIONS

Equality issues are taken into account in all relevant development management decisions.

7. CORPORATE IMPLICATIONS

The Group plays a role in meeting a number of corporate aims and performance indicators.

8. OPTIONS CONSIDERED

Options for service improvement are under constant consideration.

AUTHOR

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BACKGROUND PAPERS

Corporate Plan
Directorate Statement
Statistical returns
Customer complaints and compliments
Group Budgets