

Local Members' Interest
N/A

Planning Committee – 6 February 2020

Report of the Director for Economy, Infrastructure and Skills

Planning, Policy and Development Control Team Half Year Performance Report

Purpose of the Report

To inform the Planning Committee about our planning policy-making and planning development control performance and related matters during the first half of the year (1 April 2019 to 30 September 2019).

Recommendation

That the report be noted.

Summary

Planning policy-making performance

We have completed our 15th [Annual Monitoring Report](#) (AMR) for the period April 2018 to March 2019. The AMR concluded that there is no immediate need to update our Waste or Minerals Local Plans.

Planning development control performance

- a) Speed - major development decisions **100%** (13 out of 13)
- b) Quality – major development decisions overturned at appeal **Nil** (0 out of 13)
- c) Speed - County Council's major development decisions **Nil** (0 out of 0)
- d) Speed - County Council's 'non-major development' decisions **100%** (5 out of 5)
- e) Delegated decisions **89%** (16 out of 18)

Application and Pre-application Advice Service Income

- a) 61 applications and submissions and just over £180,000 in fees.
- b) 7 requests for pre-application advice and almost £4,350 in fees (incl. VAT).

Staffing and Caseload

Business and Enterprise, of which Planning, Policy and Development Control is a part, is currently undergoing a re-organisation in order to save £190,000 identified in the Medium-Term Financial Strategy (MTFS) for 2020-21. Consultations with staff have recently concluded and interviews have taken place with two Planning Information Officers at risk of redundancy.

The total number of cases received (applications, submissions and consultations) was down compared to the same period in the previous two years (74 compared to 132 and 119). Notably a fall in the number of consultations accounted for a significant part of this difference (13 compared to 59 and 51).

Background

Performance in planning policy-making and planning development control is reported after the end of the financial year with an update after 6 months. Quarterly performance updates are reported to the Cabinet Member for Economy and Infrastructure.

This is a report about planning policy-making and planning development control performance and related matters during the first half of the year (1 April 2019 to 30 September 2019).

Planning policy-making performance

We have completed our 15th [Annual Monitoring Report](#) (AMR) for the period April 2018 to March 2019. The AMR concluded that: we have enough reserves of most minerals; adequate facilities to process our waste; and our policies are working well. There is some uncertainty about the longer-term supply of clay to some of the county's brickworks, and a few of our older mineral sites have yet to produce detailed restoration plans. Overall, however, the AMR concluded that there is no immediate need to update our Waste or Minerals Local Plans.

Planning development control performance

[Appendix 2](#) provides a summary of performance after two quarters in 2019-20.

[Appendix 3](#) provides a comparison with the same period in the previous two years.

a) Speed - major development decisions **100%** (13 out of 13)

The proportion of the minerals and waste development decisions made within 13 / 16 weeks or within an agreed extension of time.

National target	60% (over 2 years)
Local target	90% (over 1 year)

a) Quality – major development decisions overturned at appeal **Nil** (0 out of 13)

The proportion of the minerals and waste development decisions overturned at appeal.

National target	10% (over 2 years)
Local target	5% (over 1 year)

The proportion of the mineral and waste development decisions made on time, or within an agreed extension of time, remained at 100% and the proportion of those decisions appealed, let alone overturned on appeal, was nil as we continue to try to resolve outstanding matters before reaching a decision. Notably the number of mineral and waste development decisions made during the first half of the year was slightly lower than in the same period last year but significantly higher than the year before (13 compared to 16 and 7) (see [Appendix 3](#)).

b) Speed - County Council's major development decisions **Nil** (0 out of 0)

The proportion of the County Council's major development decisions made within 13 / 16 weeks or within an agreed extension of time.

Local target	90% (over 1 year)
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c) Speed - County Council's 'non-major development' decisions **100%** (5 out of 5)

The proportion of the County Council's non-major development decisions made within 8-weeks or within an agreed extension of time.

Local target	90% (over 1 year)
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[See [Definitions](#) for an explanation of 'major development' and 'non-major development'.]

The proportion of County Council developments decisions made on time, or within an agreed extension of time, remained at 100% as we continue to try to resolve outstanding matters with the applicant before reaching a decision. No County Council major development application were determined during the first half of the year, which is no different to the same period in the previous two years (see [Appendix 3](#)). The number of non-major County Council development applications determined remains very similar to the same period in the previous two years (5 compared to 7 and 5) (see [Appendix 3](#)).

[Note: The County Council's major developments typically involve large projects such as new schools e.g. the Branston Road High School near Burton; and, major highway improvement schemes e.g. the Stafford Western Access Road and the Lichfield Southern Bypass. Non-major developments typically involve much smaller projects e.g. additional classrooms at schools and new barns on the County Farms.]

d) Delegated decisions **89%** (16 out of 18)

The proportion of all decisions made by your officers in accordance with delegated powers.

Local target

80% (over 1 year)

The proportion of decisions made by your officers under delegated powers is above the target, however it is important to note that as the number of decisions made is small, so one or two decisions either way has a significant effect on the percentage figure (e.g. 14 out of 18 = 78%).

[Note: The delegated powers apply to applications that do not involve a substantial new site or significant extension; applications for county developments; applications where there are no objections from a statutory consultee, district / parish council or local member; or applications where there are no more than 4 objections on material planning grounds.]

Application and Pre-application Advice Service Income

We received 61 applications and submissions and almost £180,000 in fees in the first half of the year (just over £194,000 at the end of Quarter 3). In line with Government regulations introduced in January 2018, the County Council has ring fenced 20% of the fee income to spend on the planning service. We carried over about £15,000 from last year and have ring fenced an additional £33,000 after two quarters in this financial year (the total at the end of Quarter 3 was about £53,000) (see [Appendix 1](#) 'Resource and Value for money implications' section for more information).

We increased our pre-application service charges in line with the general 2% increase in April 2019 and after two quarters in this financial year we have received 7 requests for pre-application advice and almost £4,350 in fees (incl. VAT).

Staffing and Caseload

Business and Enterprise, of which Planning, Policy and Development Control Team is a part, is currently undergoing a re-organisation in order to save £190,000 identified in the Medium-Term Financial Strategy (MTFS) for 2020-21. Consultations with staff have concluded and interviews have recently taken place with two Planning Information Officers at risk of redundancy.

The Planning, Policy & Development Control Team post re-structure:

Team Manager
2 Policy and Development Control Team Leaders
1 Principal Planning Officer and 1 Senior Planning Officer (part-time)
1 Planning Information Team Leader and 1 Planning Information Officer

The overall number of cases received (applications, submissions and consultations) was down compared to the same period in the previous two years (74 compared to 132 and 119). Notably a fall in the number of consultations after two quarters this year accounts for a significant part of this difference (13 compared to 59 and 51) probably due to our

mineral safeguarding standing advice taking effect.

Staffing to support our development control caseload, policy-making workload and overall performance will continue to be monitored.

Report author

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Definitions

'Major development' is defined in the [Town and Country Planning \(Development Management Procedure\) \(England\) Order 2015](#)

In so far as it is relevant to applications determined by the County Council, a 'major development' means development involving the winning and working of minerals or the use of land for mineral-working deposits; waste development; the provision of a building or buildings where the floor space to be created by the development is 1,000 square metres or more; or development carried out on a site having an area of 1 hectare or more.

List of Background Papers

- Full Year Performance 2018 -19 - Planning Committee Report – 6 June 2019 ([see Committee agenda - item 45](#))
- [MHCLG - Improving planning performance: criteria for designation \(November 2018\)](#)
- [DCLG - Live tables on planning application statistics](#)
- [Town and Country Planning \(Section 62A Applications\) \(Amendment\) Regulations 2016](#)

Appendix 1

Equalities implications:

This report has been prepared in accordance with the County Council's policies on Equal Opportunities.

Legal implications:

Officers are satisfied that there are no direct legal implications arising from this report.

Resources and value for money implications:

Officers are satisfied that there are no direct resource and value for money implications arising from this report.

A significant increase in workload and the next review of our Minerals and / or Waste

Local Plan are likely to require additional resources if we are to maintain our current high performance. Decisions to refuse applications may lead to appeals being made. The funds to cover the cost of appeals would need to be found from the County Council's contingencies.

An ICT budget has been provided to replace our in-house planning ICT system with an externally hosted system (in accordance with the Corporate ICT Strategy). An annual budget for the cost of hosting the new system, beyond the initial contract period, will be required.

[The Town and Country Planning \(Fees for Applications, Deemed Applications, Requests and Site Visits\) \(England\) \(Amendment\) Regulations 2017](#) increased planning application fees by about 20% with effect from 17 January 2018. At the request of the Government, the County Council, together with all other Local Planning Authorities, has agreed to re-invest the additional income in the planning service (the total accumulated at the end of 2018-19 was just over £15,000 and after two quarters an additional £33,000 has been added) (the total at the end of Quarter 3 was about £53,000).

Risk implications:

Officers are satisfied that there are no direct risk implications arising from this report

Climate Change implications:

The Staffordshire Minerals and Waste Local Plans and the Staffordshire District / Borough Local Plans include policies to address climate change which are considered, where applicable, when determining planning applications for mineral and waste development and applications for the County Council's own developments.

Government planning policy in the [National Planning Policy Framework](#) (February 2019), which refers to climate change (section 14), is also a material consideration in reaching decisions.

Health Impact Assessment screening:

The Staffordshire Minerals and Waste Local Plans and the Staffordshire District / Borough Local Plans include policies to address health which are considered, where applicable, when determining planning applications for mineral and waste development and applications for the County Council's own developments.

Government planning policy in the [National Planning Policy Framework](#) (February 2019), which refers to healthy communities (section 8), is also a material consideration in reaching decisions.

Appendix 2 Planning Development Control - Quarterly Performance– 2019-20

	Target Description	Target (Local)	Quarter 1	Quarter 2	Quarter 3	Quarter 4	Performance (final outturn)
National	Speed of 'major development' decisions	60% (90%)	100% 7 out of 7	100% 6 out of 6			100% 13 out of 13
	Quality of 'major development' decisions	10% (5%)	Nil	Nil			Nil
Local	Speed of the County Council's own 'non-major development' decisions	(90%)	100% 1 out of 1	100% 4 out of 4			100% 5 out of 5
	Speed of the County Council's own 'major development' decisions	(80%)	Nil	Nil			Nil 0 out of 0
	Applications determined under delegated powers	(80%)	75% 6 out of 8	100% 10 out of 10			89% 16 out of 18

Speed is measured (in so far as it relates to applications dealt with by the County Council) by the proportion of major applications dealt with within 13 weeks, or within 8 weeks for non-major development decisions, unless the application is accompanied by an Environmental Statement when the target is 16 weeks, or within an agreed extension of time.

Quality is measured (in so far as it relates to applications dealt with by the County Council) by the proportion of major applications that are subsequently overturned at appeal.

Generally, a 'major development' (in so far as it relates to applications dealt with by the County Council) is defined as an application for the winning and working of minerals or the use of land for mineral-working deposits; and, waste development. A 'non-major development' is defined as an application which is not a 'major development'.

Appendix 3 Comparison with the same period in the previous two years

Planning Development Control – Half Year Performance – 2019-20

Year	<u>National</u> (Local Target)	Performance
Speed of 'major development' decisions		
2019-20	60% (90%)	100%
		13 out of 13
2018-19	60% (90%)	100%
		16 out of 16
2017-18	60% (70%)	100%
		7 out of 7
Speed of the County Council's own 'non-major development' decisions		
2019-20	(90%)	100%
		5 out of 5
2018-19	(90%)	100%
		7 out of 7
2017-18	(80%)	100 %
		5 out of 5
Speed of the County Council's own 'major development' decisions		
2019-20	(90%)	Nil
		Nil
2018-19	(90%)	Nil
		Nil
2017-18	(80%)	Nil
		Nil
Applications determined under delegated powers		
2019-20	(80%)	89%
		16 out of 18
2018-19	(80%)	83%
		19 out of 23
2017-18	(80%)	75%
		9 out of 12