

<b>Local Members</b>
N/A

## **Planning Committee – 01 December 2022**

### **Report of the Director for Economy, Infrastructure and Skills**

### **Planning, Policy and Development Control Team Half Year Report**

#### **Purpose of the Report**

This report is to inform the Planning Committee about our planning policy-making and planning development control activities and related matters in the first half of 2022-2023.

#### **Recommendation**

That the report be noted.

#### **Summary**

##### **Planning policy-making performance**

We are continuing to monitor our Mineral and Waste Local Plans and we have now published our 17<sup>th</sup> [Annual Monitoring Report \(AMR\)](#). The AMR concluded that there was no immediate need to update our Minerals or Waste Local Plans. We are currently finalising our new AMR which indicates that we still have sufficient permitted reserves and there is still no immediate need to update our plans

##### **Planning development control performance – Q1 and Q2 of 2022-23**

- a) Speed - major development decisions  
**90%** (9 out of 10)
- b) Quality – major development decisions overturned at appeal  
**Nil** (0 out of 18)
- c) Speed - County Council's 'non-major development' decisions  
**100%** (1 out of 1)
- d) Speed - County Council's major development decisions  
**100%** (1 out of 1)
- e) Delegated decisions  
**83%** (10 out of 12)

## **Staffing and Caseload**

An officer who had been absent due to long-covid is now increasing her hours but to fill the gap a former member of the team has continued to be employed on a casual basis. Our Planning Information Officer left for a different job in the County Council in July, and we have recently held interviews and selected a replacement who we anticipate will be able to join us shortly. Meanwhile a member of the team retired last month, and another member of the team will retire next April. Options to replace them are currently being considered. Notwithstanding, we have continued to maintain our good performance.

A comparison with the first half of the previous 2 years shows that:

- the number of minerals and waste applications determined was higher than in the same period last year and the same as that in the year before that (10 compared to 6 and 10).
- the number of approvals of detail was also higher (57 compared to 34 and 34)
- the total number of cases received (applications, submissions, and consultations) was similar to last year but down on the year before that (60 compared to 66 and 87). Notably the difference can be accounted for in the reduction in the number of consultations we have received since we introduced standing advice (down from 36 in the same period in 2020-21 to 16 and to 10 in the first half of this year).

## **Background**

We report our policy-making and development control activities half way through and at the end of each financial year. This is the report on the first half of 2022-23.

### **Planning policy-making performance**

We have published our 17<sup>th</sup> [Annual Monitoring Report](#) (AMR) for the period April 2020 to March 2021 and we are currently finalising the AMR for 2021-22. The findings of the new AMR are that:

- a) we still 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; and,
- b) there is still no immediate need to update our Minerals or Waste Local Plans.

Work on preparing for the review of our local plans remains on hold as we have

insufficient staff to commit to it full-time but also because the government is taking a fresh look at planning reforms (see [Levelling Up and Regeneration Bill](#)).

### **Planning development control performance**

[Appendix 2](#) provides a summary of performance by quarter in 2022-23.

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

### **Staffing and Caseload**

The Planning, Policy & Development Control Team:

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

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### **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**

- Annual Performance Report 2021-22 to Planning Committee on 9 June 2022 ([see Committee agenda - item 8](#))
- [MHCLG - Improving planning performance: criteria for designation \(updated October 2022\)](#)
- [DLUHC - 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.

[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, agreed to re-invest the additional income in the planning

service.

The total accumulated in the ring-fenced planning reserve since 2018 was just over £120,000 at the end of quarter 2 (2022-23).

The temporary recruitment is being funded by the service from savings and the ring-fenced planning reserve.

### **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](#), 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](#), which refers to healthy communities (section 8), is also a material consideration in reaching decisions.



## Appendix 2 Planning Development Control - Quarterly Performance– 2022-23

	Target Description	Target (Local)	Quarter 1	Quarter 2	Quarter 3	Quarter 4	Performance (outturn)
<b>National</b>	Speed of 'major development' decisions	60% (90%)	<b>86%</b> 6 out of 7	<b>100%</b> 3 out of 3			<b>90%</b> 9 out of 10
	Quality of 'major development' decisions	10% (5%)	<b>Nil</b>	<b>Nil</b>			<b>Nil</b>
<b>Local</b>	Speed of the County Council's own 'non-major development' decisions	(90%)	<b>100%</b> 1 out of 1	<b>Nil</b>			<b>100%</b> 1 out of 1
	Speed of the County Council's own 'major development' decisions	(80%)	<b>Nil</b>	<b>100%</b> 1 out of 1			<b>100%</b> 1 out of 1
	Applications determined under delegated powers	(80%)	<b>75%</b> 6 out of 8	<b>100%</b> 4 out of 4			<b>83%</b> 10 out of 12

\* 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 previous two years

### Planning Development Control – Half Year Performance – 2022-23

	<b>National (Local Target)</b>	
<b>Speed of 'major development' decisions</b>		
<b>2022-23</b>	<b>60% (90%)</b>	<b>90% 9 out of 10</b>
2021-22	60% (90%)	100% 6 out of 6
2020-21	60% (90%)	100% 10 out of 10
<b>Speed of the County Council's own 'non-major development' decisions</b>		
<b>2022-23</b>	<b>(90%)</b>	<b>100% 1 out of 1</b>
2021-22	(90%)	100% 5 out of 5
2020-21	(90%)	100% 5 out of 5
<b>Speed of the County Council's own 'major development' decisions</b>		
<b>2022-23</b>	<b>(90%)</b>	<b>100% 1 out of 1</b>
2021-22	(90%)	Nil 0 out of 0
2020-21	(90%)	Nil 0 out of 0
<b>Applications determined under delegated powers</b>		
<b>2022-23</b>	<b>(80%)</b>	<b>83% 10 out of 12</b>
2021-22	(80%)	82% 9 out of 11
2020-21	(80%)	100% 15 out of 15