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# North Somerset Council

## REPORT TO THE PLANNING & REGULATORY COMMITTEE

**DATE OF MEETING: 16 OCTOBER 2019**

**SUBJECT OF REPORT: 1ST QUARTER PLANNING PERFORMANCE  
2019/2020**

**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 ambitions to deliver prosperity and opportunity, health and wellbeing and quality places as set out in the report.

### 2. POLICY

The Corporate Plan (currently under review) sets out the Council's vision for North Somerset to be "a great place to live where people, businesses and communities flourish" and to provide "modern, efficient services and a strong voice for North Somerset." Being a great place means ensuring three outcomes:

- Prosperity and Opportunity
- Health and wellbeing
- Quality Places

For each outcome, specific ambitions are identified as set follows:

Prosperity and Opportunity	Health and wellbeing	Quality Places
<ul style="list-style-type: none"><li>• <i>Drive growth in the North Somerset economy and local jobs</i></li></ul>	<ul style="list-style-type: none"><li>• <i>Enable residents to make healthy choices and promote active lifestyles which reduce ill health</i></li></ul>	<ul style="list-style-type: none"><li>• <i>Enable sustainable housing growth which protects our natural and built environment and the special character of our villages</i></li></ul>

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	<i>and increase independence.</i>	
<ul style="list-style-type: none"> <li>• <i>Ensure that all our town centres are thriving</i></li> </ul>	<ul style="list-style-type: none"> <li>• <i>Support families to give their children the best start in life</i></li> </ul>	<ul style="list-style-type: none"> <li>• <i>Build and sustain great places to live and visit – vibrant, accessible and safe</i></li> </ul>
<ul style="list-style-type: none"> <li>• <i>Enable young people to fulfil their potential</i></li> </ul>	<ul style="list-style-type: none"> <li>• <i>Commission or provide quality health and care services, which deliver dignity, safety and choice.</i></li> </ul>	<ul style="list-style-type: none"> <li>• <i>Empower people to contribute to their community and communities to provide their own solutions.</i></li> </ul>
<ul style="list-style-type: none"> <li>• <i>Ensure that all our communities share in prosperity and employment growth</i></li> </ul>		

The Council also has a further four enabling ambitions for the council as an organisation. These “enablers” are:

- A transformed council – modern, innovative and accessible
- Skilled and motivated staff, passionate about making North Somerset even better
- Excellence in resource management
- Strong and focussed partnerships

For 2019/20, the Development and Environment Annual Directorate Statement (ADS) sets out the service priorities to deliver the key corporate outcomes and ambitions and identify the specific actions which will be taken to achieve them. The service also has a dashboard of service specific indicators as set out in table 1.

Relevant ADS priorities are:

Prosperity and opportunity:

- Continued delivery of J21 Enterprise Area to support business start-ups, scale ups and inward investment.

Quality Places:

- Develop a strategic approach to placemaking across North Somerset, working with stakeholders, including development of master plans for our Strategic Development Locations inc. Weston town centre.
- Continue to work with Town Councils and Local NSC members to produce town visions for Clevedon, Nailsea and Portishead to target regeneration and growth in our main towns.
- Continue to work with Homes England and private sector partners to deliver developments in the Town Centres.
- Work with West of England partners to ensure successful conclusion of the Joint Spatial Plan examination.
- New Local Plan drafted for consultation.

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Health and Well Being

- Develop and implement a council-wide arts, culture and heritage approach aligned to our placemaking ambitions

Progress on these priorities is monitored through the Driving Growth Board, other corporate project boards and Directorate monitoring reports. More detailed service specific actions are monitored through internal management arrangements.

Table 1 Dashboard of Service Strategy performance indicators

<b>Indicator</b>	<b>Target</b>
<u><i>Prosperity and opportunity</i></u>	
% 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%
<u><i>Quality Places</i></u>	
% 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**

ADS Priorities

Work with Homes England and other partners to deliver developments in Weston-super-Mare town centre is continuing with Master Plan work progressing. Regeneration work for key town centre sites continues with Dolphin Square (phase 4), Station Gateway and Walliscote Place. The Heritage Action Zone (HAZ) has resulted in the creation of the new Great Weston Conservation Area and work is taking place on related management plans. A Supplementary Planning Document to guide design of new shop fronts has been adopted. Work also taking place with the respective Town Councils to develop their visions for Clevedon, Nailsea and Portishead through the local/neighbourhood plan process.

The Local Plan 2036 Issues and Options consultation concluded on 10<sup>th</sup> December 2018 and consultation responses have been collated. Next steps are dependent on the progress of the West of England Joint Spatial Plan which was the subject of public hearings in July. A Local Development Order supporting the implementation of Foodworks is in place and construction is well advanced. Officers continue to engage with major employers to manage and facilitate appropriate growth.

The service contributes to securing the delivery of affordable housing, health, sport and community facilities where appropriate through regeneration, planning policy and decision-making activities. The Building Control team, in partnership with Bath &

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North East Somerset, continues to provide a dangerous structures response service.

The Joint Spatial Plan (JSP) hearings concluded in July and the Inspectors' have issued letters identifying various issues. Next steps are being considered and the Councils will respond to the Inspectors in due course. Officers are advising a number of Parish Councils on their neighbourhood plans with plans for Yatton Neighbourhood Plan adopted and Congresbury's having been to local referendum.

Through the local plan and planning application process the Council continues to focus on the delivery of its housing requirement. Appeals are being defended against development on unallocated sites. Although dismissed, the appeal at Laney's Drove, Locking found that the Council does not currently have a 5-year housing supply. This remains the last tested position.

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

<b>Application no</b>	<b>Site</b>	<b>Decision date</b>	<b>Decision</b>
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	02/12/16	Allowed
15/P/0167/O	Bleadon Hill, Bleadon	02/03/17	Dismissed
16/P/0150/O	Oldmixon Road, WsM	10/04/17	Allowed
15/P/2828/O	Wrighton Lane, Congresbury	14/06/17	Dismissed
16/P/1291/O	Cox's Green, Wrighton	23/11/17	Allowed
16/P/1707/O	Brinsea Road, Congresbury	13/12/17	Dismissed
15/P/1918/O	Stowey Road, Yatton	02/01/18	Dismissed
15/P/0315/O	Farleigh Fields, Backwell	28/03/18	Dismissed
16/P/0329/O	Lanays Drove, Locking.	18/06/18	Dismissed
17/P/2111/O	Weston Trade Centre, Banwell	03/01/19	Dismissed
17/P2344/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	Land north of Youngwood Lane and east of Netherton Wood Lane, Nailsea		Decision awaited
18/P/2423/OUT	Land South of Crookes Lane, Kewstoke		Decision awaited
17/P/5545/OUT	Land off Bleadon Road, Bleadon		Inquiry adjourned until 15 October
18/P/2652/OUT	Land off Elm Grove Nursery Elm Grove Locking		Inquiry 5 <sup>th</sup> November

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Planning application and enforcement performance (Q1)

The performance for the first quarter of 2019/20 is set out in table 2 below. Performance for the comparable quarter of the previous financial year (2018/19) is shown in column two for comparison. Additional indicators focussing on the key enablers are also included.

Table 2

Performance Indicator	Q1 18/19	Q4 18/19	Q1 19/20	Year to date 19/20	Target 19/20
% Of all applications determined < 8 Weeks	95.60%	93.6%	94.63%	94.63%	>80%
% Of major applications determined in <13 Weeks	90.00%	69.2%	80%	<b>80%</b>	>70%
% Of minor applications determined in <8 Weeks	93.58%	92.0%	95.61%	<b>95.61%</b>	>75%
% Of other applications determined in <8 Weeks	96.65%	95.3%	94.99%	<b>94.99%</b>	>86%
% Of all appeals that were allowed against a planning refusal	23.08%	21.43%	0%	<b>0%</b>	<30%
% Of enforcement notices upheld on appeal	100%	0%	None received	<b>N/A</b>	>90%
% of applications that are delegated to officers	83.86%	96.7%	96.62%	<b>96.62%</b>	>90%
Registration of Major applications within 10 working days of receipt	100%	100%	100%	<b>100%</b>	>90%

The volume and complexity of work continues to be significant and is stretching resources. Despite the number of major housing applications and appeals which have been submitted in response to the Council's housing supply position, 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, business support) are 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.

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Table 3 Appeals Decided

<b>Performance (Planning Appeals)</b>	<b>Q1</b>	<b>Year to date 19/20</b>
Appeals received	13	13
Appeals decided	13	13
Appeals dismissed	13	13
% of appeals dismissed from appeals decided (target >70% dismissed)	100%	100%
% of appeals allowed in cases where Committee refused permission contrary to officer recommendation to approve	0%	0%

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

Table 4 Appeals Received

<b>Appeal Types Received* (Planning Appeals)</b>	<b>Total 14/15</b>	<b>Total 15/16</b>	<b>Total 16/17</b>	<b>Total 17/18</b>	<b>Total 18/19</b>	<b>Q1 Total</b>	<b>Total 19 /20 to date</b>
Public Inquiries	3	2	6	1	2	0	<b>0</b>
Hearings	6	1	2	0	2	1	<b>1</b>
Written Representations	31	43	28	59	49	12	<b>12</b>
<b>Totals</b>	<b>40</b>	<b>46</b>	<b>36</b>	<b>60</b>	<b>53</b>	<b>13</b>	<b>13</b>

\* Whilst public inquiries have 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. As can be seen above four significant housing appeals are currently being determined by determination by public inquiries or hearings for sites at Bleadon, Kewstoke, Nailsea and Locking.

Enforcement Performance

The council's Local Enforcement Plan was updated and agreed by the Committee in May 2017 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

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and with related appeal work has to prioritise tightly which means some 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.

Table 6

<b>Notices Served</b>	<b>Q1 19/20</b>	<b>Total 19/20 to date</b>	<b>Total 18/19</b>	<b>Total 17/18</b>	<b>Total 16/17</b>	<b>Total 15/16</b>
*PCN's and 330 Notices	11	<b>11</b>	31	41	45	52
**BCN's	0	<b>0</b>	2	5	1	0
Enforcement Notices	4	<b>4</b>	19	17	22	14
Stop Notices	0	<b>0</b>	0	0	0	0
Temporary Stop Notices	0	<b>0</b>	0	1	0	0
Injunctions	0	<b>0</b>	0	0	0	1
***Section 215 Notices	0	<b>0</b>	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.

**Enablers**

Resource Management

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

Table 7

<b>Performance Target</b>	<b>Q1 18/19</b>	<b>Q4 18/19</b>	<b>Q1 19/20</b>	<b>Year 19/20 to date</b>
No. of applications received	470	471	426	426

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<b>Performance Target</b>	<b>Q1 18/19</b>	<b>Q4 18/19</b>	<b>Q1 19/20</b>	<b>Year 19/20 to date</b>
No. of planning and enforcement appeals received	18	18	14	14
Reported alleged breaches of planning control (Enforcement)	152	130	166	166

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, 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 (£1.387m). This income target was exceeded for the last financial year but is under pressure this year.

Plan making costs are significant with the Council responsible for the costs of the examination process for statutory planning documents. This includes contributing to the substantial costs of the Joint Spatial Plan making process together with the Bristol City, South Gloucestershire and Bath & North East Somerset Councils.

The ongoing round of public inquiries are incurring significant additional expenditure on legal and consultancy advice.

Staffing

Recruitment to a Planning Assistant position in the Applications & Consents team has taken place with an officer transferring to the team in September and being replaced in the Enforcement Team by a new officer. A post which is responsible for assisting with planning conditions is in the process of being filled.

Service Transformation

A phase 2 project to implement further modules in the new back office ICT system (Uniform) continues to progress although some delay has been caused by data transfer and testing issues. Planning and Building Control officers are in the process of being equipped with mobile technology to improve efficiency on site. The objective is to enable the introduction of paperless working which will lead to new ways of working as it is introduced in due course.

**4. CONSULTATION**

All policy documents and planning applications are the subject of consultation. Regular liaison meetings take place with Town and Parish Councils and an Agents forum to discuss service issues.

**5. FINANCIAL IMPLICATIONS**

As set out in the report.

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**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  
Service Strategy  
Statistical returns.  
Customer complaints  
Group Budgets