

PLANNING PERFORMANCE REPORT – QUARTER ONE, 2021-22

Director of Place, Planning and Regeneration

1. PURPOSE OF REPORT

1.1 The purpose of this report is to update members on planning performance. It is an information item setting out a range of planning performance data for the first quarter of 2021/22, it includes figures for the previous quarter for comparison and figures for the full year.

2. IMPACT OF THE CORONAVIRUS

2.1 The level of service maintained during the pandemic is indicated in the table below which shows the numbers of applications determined during 2020/21 along with the figures for 2019/20.

Quarter / Year	Q1 2019/20	Q1 2021/22	Change
Application Type	Applications Determined		
Majors	19	7	-12
Minors	51	38	-13
Others	155	154	-1
Total	225	199	-26
Total on hand	278	475	+197

2.3 The table shows that during the first quarter of 2021/22, some 26 fewer applications were determined than for the first quarter of 2019/20. Following an initial dip after the first lockdown, the number of applications submitted picked up strongly in subsequent months, particularly during March and April 2021. It was not possible within the resources available within planning, and within the other teams that have an input to the planning process, to increase the level of decisions in line with the increase in submissions.

2.4 The high level of applications over recent months has resulted in the currently high number of cases in hand (475) which is an increase of 197 on the number on hand at the end of the first quarter of 2019/20. This will take some time to clear. Additional resources are being secured to help deal with the backlog. Some additional permanent resources are being investigated within planning and other contributing services to help deal more quickly with applications on an ongoing basis.

3. PLANNING APPLICATIONS

- 3.1 Table 1 below shows the planning performance figures for the previous two quarters. The targets for 2021/22 are unchanged from the previous year and are to deal with 90% of Minors and Others and 85% of Majors within the relevant statutory 8 or 13-week period, or within an agreed extension of time.

Table 1 Planning Applications Determined

	% determined including with extension of time	Target	No. determined with extension of time	Total no. determined
Q1 2021/22				
Majors	86%	85%	5	7
Minors	76%	90%	21	38
Others	94%	90%	95	154
Total			121	199
Q4 2020/21				
Majors	84%	85%	4	6
Minors	94%	90%	24	32
Others	92%	90%	84	183
Total			112	221

- 3.2 Table 2 below shows how many applications were on hand at the beginning and end of each of the last two quarters.

Table 2 Applications on Hand

Quarter	On hand at beginning of period	On hand at end of period	Change
Q1 2021/22	435	475	+40
Q4 2020/21	357	435	+78

- 3.3 The data show that performance on major applications has improved slightly in the first quarter from the previous one, and at 86% is just above the 85% target. Performance on minor applications has significantly reduced from 94% for the previous quarter to 76% for the first quarter of the year which is well below the 90% target. This is largely due to the very high workloads being experienced. The performance on other applications at 94% for the quarter has exceeded the 90% target.
- 3.4 It is also notable that the number of cases on hand has increased for the sixth quarter in a row. This reflects continuing significant numbers of applications being submitted and resource issues within development management and within other

service areas that contribute to the process. It is also proving difficult to recruit to a vacant principal officer post level. Further changes are being made and resources reviewed in order to address the issue.

4. PLANNING ENFORCEMENT

4.1 Table 3 shows the number of enforcement cases opened, closed and on hand in the latest quarter along with the same figures for the previous quarter.

Table 3 Enforcement Caseload

Quarter	Opened in Period	Closed in Period	On hand at end of period
Q1 2021/22	62	56	118
Q4 2020/21	78	52	112

4.2 The table above shows that 6 more cases were closed than opened during the quarter. The target for 2021/22 remains to keep the number of cases on hand below 100 and this quarter's figures show that, as in the previous quarter, this is no longer being achieved. 16 fewer cases were opened in the latest Quarter than in the previous and the number of cases closed increased by 4 over the previous period. However, because the number of cases opened is still exceeding the number of cases closed, the number on hand is still increasing and now stands at 118. This shows that the enforcement workload is increasing despite over 50 cases having again been closed in the quarter.

4.3 As previously reported, the continuing high level of cases appears to reflect a general increase in complaints that has occurred during the COVID pandemic and people potentially being less tolerant of possible breaches when they are spending more time at home. This has also been the experience of other planning authorities. It is hoped that relaxation of COVID restrictions may reverse the current increasing trend, but the a reversal may be counteracted by the increasing level of construction activity in future months based on the high levels of planning applications reported in the previous section of this report.

4.3 Table 4 shows the numbers of current enforcement cases that are over 6, 12 and 18 months old.

Table 4 Older Enforcement Cases

	Q1 2021/22	Q4 2020/21	Change	Change %
Current cases over 6 months old	47	41	+6	+12.7%
Current cases over 12 months old	31	29	+2	+6.4%
Current cases over 18 months old	23	21	+2	+8.7%

- 4.4 Table 4 above shows that, over the previous quarter there has been an increase generally in the numbers of older cases across all categories. This reflects recent very high workloads in the section referred to previously. Officers have also had to spend time on complex appeal work including an informal hearing, as well as dealing with a high number of tree cases and handling a number of larger, more complex ones. The team has also dealt with a lot of enquiries which have not resulted in the creation of an enforcement case but have needed to be reviewed and responded to appropriately.
- 4.5 The cases are regularly monitored and action is prioritised in accordance with the updated Local Enforcement Plan. Despite the increase in workload there have been some notable successes during the quarter, an example of which is shown in the following photographs. Another important success was the dismissal of the enforcement appeal at Buckhurst Moors which now means that the concrete batching plant at the site will need to be removed which will reduce the harm caused by associated lorry movements.

CASE STUDIES

4.6 The photographs below illustrate one of the enforcement cases successfully resolved during the quarter with before and after pictures.

Case 1: Land rear of Bigwood House, Waterloo Road, Wokingham

Before – extensive unauthorised tipping of soil



After: Soil removed



5. PLANNING APPEALS

- 5.1 The table below summarises the numbers of appeals determined during the quarter, the numbers allowed and dismissed and the percentage dismissed with the same figures for the previous quarter and for the full year for comparison.

Table 5 Planning Appeal Decisions

	Decisions	Allowed	Dismissed	% Dismissed	Target
Q1 2021/22	8	3	5	62.5%	66%
Q4 2020/21	10	3	7	70%	66%

- 5.2 Planning appeals performance has fallen slightly below the target of 66% with 62.5% dismissed. The decisions included
- 5.3 The dismissed appeals included Bewes Stud at Prince Albert Drive, Ascot where the proposal was to change the use of land for the siting of 5 park homes. The Inspector found that the proposal would cause harm to the Green Belt through inappropriateness and loss of openness. Even taking account of the fallback position (provided by an existing permission for a detached dwelling and garage), the harm was concluded not to be outweighed by any other considerations and that there were no very special circumstances to justify the development being permitted.
- 5.4 One of the three allowed appeals was at 7, Crozier Lane, Warfield. This is a new property within the Warfield major development where the homeowner had had an application refused for the installation of a door to an existing car port. The reason for refusing the application is that permission for the car port was based on the Council's parking standards which allow smaller car ports than garages because garages are very often used for household storage rather than parking of cars whereas open car ports are generally not used in this way for security and other reasons. For this reason, the Council's parking standards require significantly larger garages than car ports (so that they allow space for household storage as well as for a car).
- 5.5 However, in this case the Inspector considered that installing a door to the car port (effectively making it into a garage) would not result in the loss of space available for parking. They also considered that given the site's location at the end of a cul-de-sac any occasional on-street visitor parking would not impede traffic or unacceptably affect highway safety. The case highlights the need to be able to demonstrate harm to highway safety when refusing an application on parking grounds rather than just relying on the requirements of the parking standards.

6. COMMUNITY INFRASTRUCTURE LEVY (CIL) AND S106 PAYMENTS

- 6.1 Table 6 below shows the total value of the CIL liability notices issued (normally issued with, or just after, a planning permission). It also shows the value of CIL demand notices issued (normally issued just prior to commencement of a development). The final column shows the amount of CIL actually received by the Council. The CIL received is the gross amount before the Parish and Town Council proportions and the administrative allowance are deducted.

Table 6 Community Infrastructure Levy

	CIL Liabilities Issued		CIL Demand Notices Issued		CIL Received
	No.	Net Amount	No.	Net Amount	Gross Amount
Q1 2021/22	6	£1,226,423	4	£1,337,985	£1,015,121
Q4 2020/21	9	£732,895	8	£1,063,853	£349,614

- 6.2 Table 6 shows that there was an increase in CIL income from the previous quarter (which was unusually low). Despite the impact of COVID on the development sector CIL income has held up well and with just over £1million received in the quarter the income levels have not dropped as significantly as might have been expected. Similarly, with well over £1 million achieved during the quarter for CIL Liabilities and Demand Notices issued for the quarter the future pipeline remains reasonable if not as large as previously experienced. Much will depend on the extent and timing of a recovery.

Table 7 Amounts Secured and Received via S106 Agreements

S106 2020/21	Amount secured in s106 Agreements	Amount received from s106 Agreements
Q1 2021/22	£1,665,662.94	£2,702,543.00
Q4 2020/21	£72,386.00	£2,940,588.99

- 6.3 Table 7 shows that, in addition to Community Infrastructure Levy receipts, S106 agreements are also making a significant contribution to providing the infrastructure needed to mitigate the impacts of new development in the Borough. The table shows a slight decrease increase in S106 monies received from the previous quarter but still a significant income.
- 6.4 The amounts secured in completed S106s, but not yet received showed a significant increase to over £1.6 million from the very low figure secured in the previous quarter (just over £72,000).

7. RECOMMENDATION

- 7.1 **It is recommended that Members note the information contained in this report.**

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