

PLANNING PERFORMANCE REPORT – QUARTER FOUR, 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 final 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 lockdown is indicated in the table below which shows the numbers of applications determined during 2020/21 along with the figures for 2019/20.

Year	Whole of 2020/21	Whole of 2021/22	Change
Application Type	Planning Applications Determined		
Majors	28	33	+5
Minors	125	163	+38
Others	540	535	-5
Total	693	731	+38

2.3 The table shows that during 2021/22, some 38 more applications were determined than for the whole of 2020/21. This represents an increase of 5.5% from the previous year.

3. PLANNING APPLICATIONS

3.1 Table 1 below shows the planning performance figures for the previous two quarters. The target for 2021/22 was unchanged from the previous year and is 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
Q4 2021/22				
Majors	88%	85%	7	8
Minors	85%	90%	31	38

Others	87%	90%	98	126
Total			134	172
Q3 2021/22				
Majors	84%	85%	8	12
Minors	86%	90%	28	36
Others	82%	90%	89	121
Total			125	169
Full Year 2021/22				
Majors	81%	85%	23	33
Minors	83%	90%	122	163
Others	86%	90%	361	535
Total			506	731

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
Q4 2021/22	423	440	+17
Q3 2021/22	440	423	-17

3.3 The data show that performance on major applications has improved in the final quarter and at 88% is now above the 85% target. For the year as a whole 81% of major applications were determined within the 13-week statutory period or within an agreed extension of time which is 4% below the 85% target. This is based on a small number of cases where applicants have been unwilling to agree extensions of time. It should be noted that because of the relatively low number of major applications that are determined, the margin by which the performance fell below target only amounts to two applications over the year. Performance on minor applications at 83% for the year and 86% for the quarter has not met the 90% target. Similarly, the performance on other applications at 86% for the year and 87% for the quarter has also not met the 90% target. The figures for minors and others reflect the continuing high caseloads and resourcing issues being faced by the planning division, and in local authority planning departments generally.

3.4 The number of cases on hand has increased slightly over the last quarter. This reflects continuing significant numbers of applications being submitted and resource issues within development management following some vacancies arising. Three vacancies have now been filled and an additional temporary resource has been secured. However, across planning there remain vacancies at senior officer and

planning assistant level as well as within the technical support team despite recent recruitment exercises.

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
Q4 2021/22	73	50	119
Q3 2021/22	52	48	97
Full Year 21/22	241	233	119

4.2 The table above shows that significantly more cases were opened than closed during the quarter. This reflects a significant uplift in the number of complaints being received and requiring investigation in line with the Local Enforcement Plan. The target for 2021/22 was to keep the number of cases on hand below 100 and this quarter's figures show that since the previous quarter this is not currently being achieved. This reflects the uplift in complaints referred to and the ongoing nature of the existing cases. It is also notable that 21 more cases were opened in Quarter 4 than in the previous quarter showing that the workload is increasing despite 50 cases having been closed in the quarter.

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

	Q4 2021/22	Q3 2021/22	Change	Change %
Current cases over 6 months old	63	57	+6	+10.5%
Current cases over 12 months old	35	26	+9	+34.6%
Current cases over 18 months old	23	20	+3	+13%

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 but particularly within those over 12 months old. This partly reflects recent high workloads in the section referred and the need for officer time to be spent on planning enforcement appeal work. It also partly reflects that a number of older cases are the subject of live planning applications and are not closed until the outcome of the application process is known. The team continues to deal with enquiries which have not resulted in the creation of an enforcement case but have needed to be investigated and responded to appropriately.

4.5 The cases are regularly monitored and action is prioritised in accordance with the Local Enforcement Plan. Despite the increase in workload there have been some successes during the quarter such as that shown in the following photographs.

CASE STUDY

4.6 These photos show an enforcement cases successfully resolved during the quarter.

Before – waste vehicles company in Green Belt



After – company removed without the need for service of an Enforcement Notice



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
Q4 2021/22	5	0	5	100%	66%
Q3 2021/22	7	2	5	72%	66%
Full Yr. 2021/22	28	7	21	75%	66%

- 5.2 Planning appeals performance for the final quarter has comfortably exceeded the target of 66% with all of the five appeals decisions being dismissals.
- 5.3 The dismissed appeals during the quarter included that for land adjacent to Newell Hall, Warfield Street (19/00632/OUT). The appealed application was for a 45 bedroom care home on land outside of the defined settlement. In dismissing the appeal the Inspector found that the proposal would harm the character and appearance of the area and cause some harm to the setting of a Grade II listed building and ecological harm caused by the loss of trees and other vegetation. The inspector recognised the social and economic benefits of the scheme but concluded that on balance these did not outweigh the identified harm. The Inspector used a 'normal' rather than 'tilted' balance because of their findings on the heritage balance, regardless of the Council's 5-year housing land supply or the status of the most important policies.
- 5.4 Another decision received this quarter was for Goaters Hill Cottage, 21, Asher Drive, Ascot (21/00464/FUL). The application had been for the replacement of an existing dwelling in the Green Belt which would have increased the building's floorspace by 40% and its volume by 39%. The Inspector agreed with the Council that this would result in a building materially larger than that which it replaced and supported the approach being taken in the draft Local Plan (while not giving the draft Plan itself significant weight as it has not yet been through examination). The Inspector also refused the appellant's claim for an award of costs against the Council, finding that its behaviour in this case had not been unreasonable as had been claimed.

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
Q4 2021/22	18	£8,053,392	7	£2,707,552	£790,055
Q3 2021/22	7	£2,208,474	10	£1,127,427	£2,466,920
Full Yr. 2021/22	37	£11,929,767	30	£5,360,896	£4,720,347

6.2 Table 6 shows that while CIL receipts were lower for the fourth quarter than the third, for the year as a whole the budget forecast has been comfortably exceeded. The high levels of CIL liability and demand notices issued in the final quarter (£8.05m and £2.7m respectively) indicate a healthy continuing pipeline of CIL going into the new financial year.

Table 7 Amounts Secured and Received via S106 Agreements

S106 2020/21	Amount secured in s106 Agreements	Amount received from s106 Agreements
Q4 2021/22	£5,886,075	£995,857
Q3 2021/22	£3,829,124	£729,058
Total 2021/22	£12,105,137	£5,936,457

6.3 Table 7 shows that the amounts of S106 funding secured in new agreements increased by over £2m from the previous quarter and the amount received via S106 agreements increased by over £260,000. Of more relevance is that the Council received over £5.9m from S106 agreements over the year and that there is also a healthy future pipeline with over £12m secured in completed agreements. Though this figure does include a small number of agreements linked to planning appeals which may be dismissed in which case the relevant amounts would not be paid.

7. RECOMMENDATION

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

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