

Planning Services Improvement Plan

March 2022

Peer Review

- Planning Advisory Service carried out a Peer Review in November/December 2020
- The review found that the then new administration needed to take ownership of the Local Plan and have confidence in the evidence base and environmental credentials of policies and planning decisions.
- The review also found that there were opportunities to build strong links between the County Plan and the operation of the Development Management Service.
- The review recommended that the Planning Service develop a vision and that there may need to be a management review to help deliver the vision
- The review also commented that the trust between Members and Officers needs to improve
- The review went on to make a number of short and medium term recommendations

Short Term Recommendations

- Develop a local plan review timetable
- Co-develop a whole Planning Service Mission Statement
- Ensure corporate review of Member Officer working includes review of expectations, role clarity and improving cultural behaviours
- Assign the 5 year housing land supply risk and oversight of mitigation measures to a nominated officer
- Develop and Enforcement Action Plan working with members to agree priorities
- Regular training for Members and Officers
- Process review to identify efficiency
- Programme for Officer development with focus on investigatory skills
- Proactive work on top priority cases with relentless communication

Medium Term Recommendations

- Review structure of Planning Service
- Review overall planning work programme, resources and budget
- Review development management procedures to focus on managing demand, efficiencies and budget
- Review the approach to pre-decision Section 106 agreements to consider whether case officers should retain responsibility for all pre-decision input
- Review the Member Training Programme and involve members in planning it, deliver shorter sessions and use independent facilitators where this would add value
- Review Ward Member and public speaker time limits at Committee and length of officer reports
- Consider introducing a Chair's briefing meeting prior to committee day with wider input from members

Planning Service Metrics

- Planning Applications
- Year ending September 2021
 - 2,313 total applications received (6.3% of regional, 0.5% of national total)
 - 1 decision with an Environmental Statement (5.9% of regional, 0.36 of national total)
 - 1,085 decisions where an extension of time agreement was made (7.8% regional 0.7% of national total)
 - 1,909 total decisions made (5.6% of regional, 0.5% of national total)
 - 98% of decisions delegated to officers (95% regional average, 96 national average)
 - 1,723 total decisions granted (5.6% of regional total, 0.5% of national total)
 - 90% of decisions granted (91% regional average, 88% national average)
 - No decisions of Permission in principle or Technical Details Consent
 - 12 applications for Prior Approval for Permitted Developments – 7 PA not required, 3 granted, 2 refused
- Enforcement
 - Enforcement Stop Notices – 52 (17% of regional total, 1.5% of national total)
 - Planning Contravention Notices – 20 (7.5 % of regional total, 0.5% of national total)

Current Issues

- Perception of service quality issues
- Delays due to backlog/Covid pressures
- Local Plan timetable
- Understanding of Enforcement approach
- Fall in planning application fee income
- Section 106 spending priorities and associated issues

S106 – Training and other aspects

- Further training on S106 issues is being arranged for April
- Counsel will be providing training supported by officers in the Planning Service
- The government has indicated that there will be significant changes to the whole developer contribution regime and that significant changes to both S106 and Community Infrastructure Levy should be anticipated.
- When the further changes are announced there will be further training provided to ensure Members have the most up to date information and understanding
- A fundamental review of current and historic S106 agreements is being undertaken by the Programme Management Office and this will be reported to Members once complete

Planning Policy

- The Local Plan needs to be ‘owned’ by the Members
- The 5 year Housing Land Supply issue has improved – latest Housing Delivery Test results show that the Council has provided 103% of the amount of housing needed over the last 3 years
- The Local Plan will need to take into account the changes arising from the Environment Act especially Biodiversity Net Gain and Nature Recovery Strategies

Development Management

- Planning backlog being dealt with by appointment of a Team of development management interim officers with a resultant decrease in backlog to circa 100 applications
- Development of a mission statement for planning will help focus the Development Management Team to look at how the service is being provided and what has led to the perception of a service that is failing to perform. The Mission Statement will also clarify the contribution that Development Management makes to the overall aims and objectives of the Council particularly with regards to
 - tackling climate change
- Development of a Communications Protocol that would outline how and when Member inquiries and issues will be prioritised and approached
- Develop a more formal approach to pre-application advice which highlights a balanced professional judgement as well as consultee responses
- Develop a system of template Planning Performance Agreements for more complex applications – and consider soft launching PPAs with major application to test how this improves consideration of such applications

Enforcement

- Work is underway to produce an Enforcement Local Plan as per the requirements of the NPPF
- This will be produced in consultation with Members and will set out the priorities for the way in which Enforcement is carried out.
- ¹⁰• The Enforcement Local Plan will prioritise different categories of alleged breaches and will provide a timescale for dealing with the issues
- Further training will be provided for Members to ensure that you have the most up to date information and knowledge about how enforcement operates within the current statutory framework

Planning Committee

- In looking at the recommendations of the PAS Peer Review the suggestions about the Planning Committee will be looked at as part of the Rethinking Governance review to see if the changes suggested can be accommodated.
- The format of officer reports is under review and changes will be implemented to ensure that reports are precise and concise

Planning Recovery Plan

- Additional planning capacity to deal with backlog.
- Backlog has decreased to circa 100 from +300
- A review of the way in which the service is structured is under
consideration

Proposed Training Programme

- Member training

- Local Plan Inquiries
- Environment Act 2021
- Biodiversity Net Gain
- Phosphate Credits
- Material considerations
- Predetermination and predisposition

- Officer Training

- Investigatory skills
- Presentation skills
- Environment Act
- Biodiversity Net Gain
- Phosphate Credits
- Continuing professional development

Next Steps

- Produce a Draft Local Enforcement Plan for member endorsement
- Complete the review the structure of the Planning Service
- Report to next Scrutiny Committee on proposed new structure of the Planning Service
- The Planning Inspectorate have agreed to send someone to attend (virtually) the next meeting to talk about the work of the Inspectorate, Planning Appeals and related issues