
Quarterly report on planning service performance

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Introduction

1. The Council's constitution agreed on 22 February 2023 sets out the terms of reference for the Strategic Planning Committee. This includes consideration of quarterly officer reports from the area based Committees to monitor decision making and workload levels. This report includes information for Q1 of 2022/23.
2. Appendix A attached to the report sets out performance data. The data also includes information on the volume of work received by each of the area teams and the waste and minerals team and reports the information published nationally on a quarterly basis on the meeting of the government targets. Whilst historically information has been collected in the former District areas it is now collected across Somerset but the report provides the information on an area basis. In addition information is provided on the applications and other areas of work not reported in the national statistics in order to provide a more rounded picture of the workload. Information is also included on enforcement complaints, appeals, five year housing land supply by area and the Housing Delivery Test position.

Recommendation

3. The Strategic Planning Committee is asked to note the content of this report

Reasons for recommendations

4. The report is brought to members to provide an understanding of the volume of work in the service and the performance of the Council in meeting the national targets.

Financial and Risk Implications

5. The Government measures application performance on a quarterly basis. If the Council does not remain within the thresholds¹ set by Government then it could be designated as a poorly performing authority and developers would then have the option of applying directly to the Planning Inspectorate for planning permission. The regular monitoring of performance will enable this risk to be actively managed.

Legal Implications

6. There are no legal implications of the recommendation.

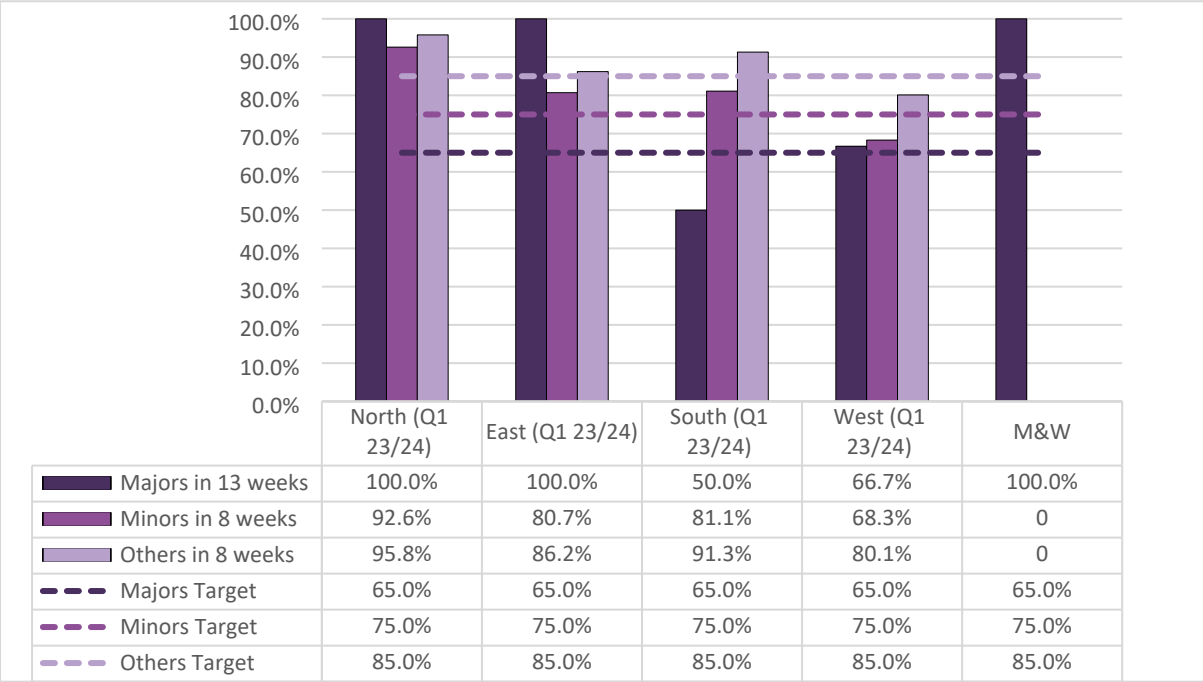
Planning Performance – Q1 of 2023/24

Development Management

7. Section 1 of the Appendix sets out the number of planning applications received by Somerset Council by area and for the Minerals and Waste Team from 2020/21 up to and including Q1 of 2023/24 and which form the basis for the reporting against the nationally set targets. Chart 1 shows the trend in terms of applications received and shows the volatility. Area South and Area North show a fall in applications compared to previous quarters – in Area North there are currently some delays occurring in the registration and validation of planning applications due to staff vacancies in the business support team. These are in the process of being filled but may also affect the numbers in Q2.
8. Section 3 shows the percentage of major, minor and other applications which are determined within the national target times of 13 weeks for major applications and 8 weeks for minor/other applications. These should be compared with the nationally set targets of 65% for majors, 75% for minors and 85% for others. The chart below shows the data for the four areas for Q1 of 2023/24 which is the latest published data by DHLUC.

¹ Thresholds: The criteria for designation were updated in October 2022 set designation thresholds for the speed of decision making if an authority made less than 60% of decisions for major development within the statutory period or such extended period as agreed and less than 70% for non major development for the period between October 2021 and September 2023. [Improving planning performance: Criteria for designation \(updated 2022\) \(publishing.service.gov.uk\)](https://publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/114444/improving_planning_performance_criteria_for_designation_updated_2022.pdf). Tables were published on 7 September 2023 – see [Planning applications in England: April to June 2023 - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/statistics/planning-applications-in-england-april-to-june-2023)

Chart showing the latest quarter data (Q1 of 2023/24) for Areas North, East, South and West showing percentage of applications determined in-time compared with the national targets



The trend data for the period from 2020/2021 up to Q1 of 2023/24 set out in Section 3 of the Appendix shows that Areas East and North have consistently met all three targets; Area North has consistently met the targets for minor and other applications but fell below the target for major applications in the first quarter of 2023/24 due to the determination of some applications that had been held pending phosphate mitigation solutions; Area West has met the target for major decisions for the entire period and in Q1 of 2023/24 has fallen below the target for minor and other decisions. For minor decisions this has been primarily the impact of the need for phosphate mitigation solutions to be agreed and changes to the referral system to Committee. Government published data on 7 September 2023 shows that the overall performance for Somerset Council on major development for Q1 of 2023/24 was 81.8% and for County matters was 100%.² For non major development this was 86.7%. Both these are above the threshold.

- Section 2 of the Appendix provides information of the number of applications on hand at the start of each quarter, the number received during the quarter, the number determined in each quarter and the number on hand at the end of the quarter. Noting that this is only those applications included in the returns

² [Live tables on planning application statistics - GOV.UK \(www.gov.uk\)](https://www.gov.uk) published on 7 September 2023

to government it is useful as a gauge as to how the area teams are managing the volume of work. At the end of Q1 of 2023/24 i.e March 2023 Table 2 shows that Area East had on hand 582 on hand compared to 330 determined; Table 3 shows that Area North had on hand only 275 applications compared to 233 determined; Table 4 shows that Area West had 458 on hand compared to 243 determined; Table 5 shows that area South had 732 applications on hand compared to 327 determined. Where the number of applications on hand at the end of each quarter is greater than the number of applications determined this provides evidence of a backlog.

10. The reasons for a backlog are numerous but include the fact that a large number of minor applications have been held up by the need to identify a phosphate mitigation solution and by recruitment and retention issues and turnover of agency staff. This has been a particular problem in the West area where the Service Manager post has been vacant for a year and partially covered by an interim working three days per week. In addition one of the team leader posts and 3 other posts are covered by agency staff. In South area there are currently 5 vacant posts: Team Leader, 1 senior, 1 planning officer and 2 x planning assistants. These are currently covered by 9 contractors currently providing the equivalent of 6.6 FTE. The Minerals and Waste Team currently has vacancies for 1 Planning Officer and 1 x Apprentice Planning Officer. Attempts have been made to fill the posts permanently but the combination of uncertainty arising from the establishment of the unitary authority, salary levels and national shortage of professional planners has meant that it has not been possible to fill these posts.
11. A recent survey by the RTPI³ shows that 82% of local authority planners said their employer had difficulties hiring planners in the last 12 months and 68% saw competitive salaries as a key difficulty for local authorities. It should also be noted that whilst the number of planning professionals in the UK has remained around the 22,000 mark, one quarter of planners left the public sector between 2013 and 2020 and increasingly we are therefore competing with the private sector.

Other applications and pre application advice not included in the national data

12. Section 4 provides information on the other applications which are not included in the national statistics: prior approvals, adverts and tree applications. Due to differing computer systems in operation across the Council it has not been

³ [RTPI | Interim State of the Profession 2023](#)

possible to include the discharge of conditions applications which make up a considerable volume of work. Section 4 provides information on pre-application enquiries. This gives an indication of the other work case officers are handling.

Appeal decisions

13. Section 6 provides information on the number of appeal decisions by area/minerals and waste team and the percentage of appeals where the decision was allowed by the Planning Inspectorate by year.
14. The government uses the appeals performance as a proxy for the quality of decisions and for potential designation⁴. The calculation is based on the percentage of the total number of decisions made by the authority on major and non major⁵ decisions that are then subsequently overturned at appeal once nine months have elapsed following the end of the assessment period. The nine months specified in the measure enables appeals to pass through the system and be decided for the majority of decisions. The latest data published on 7 September 2023⁶ covers the period for the 24 months to the end of March 2022 (and subsequent appeal decisions to the end of December 2022) and thus is undertaken on the basis of the former Districts. If the percentage overturned at appeal is more than 10% of the total number of decisions the authority meets the threshold for designation. South Somerset was 1.2%; Somerset West and Taunton 2.0%; Sedgemoor 2.0%; Mendip 3.8% and County 0%.
15. Therefore all former authorities are below the current thresholds for potential designation. It is also worth bearing in mind that the number of majors can be relatively small so that one or two applications can make the difference between meeting or not meeting the threshold.

⁴ <https://www.gov.uk/government/publications/improving-planning-performance-criteria-for-designation>

For quality of decision making the measure used is the percentage of decisions that are overturned at appeals – the threshold set for major and non major development is 10% for the period from April 2021 to March 2023

⁵ Non major decisions include, minor dwellings, minor office and industry, retail and service, traveller caravan pitches, other minor developments, change of use and householder developments

⁶ [Live tables on planning application statistics - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/statistics/live-tables-on-planning-application-statistics)

Committees

16. The Council will be undertaking a review of the Committee arrangements, delegation and arrangements and this will be reported to the Governance Committee with any recommendations for amendments to the Constitution.

Planning Enforcement

17. Local Planning Authorities have a discretionary power to take enforcement action where unauthorised development has taken place and it is considered expedient to do so. The Government advice urges negotiation in the first instance to try to resolve enforcement issues except in the most serious cases and local planning authorities are advised to act in a proportionate way appropriate to the level of harm caused by the development. The Council recognises that effective enforcement is an important means of maintaining integrity and public confidence of the development management process. In February 2023 the Council adopted an enforcement policy. [SCC - Public - Somerset Planning Enforcement Policy.pdf - All Documents \(sharepoint.com\)](#). This sets out the priority level (see page 10) that will be given to cases referred and is essential given the high number of allegations of breaches of planning control received each year. Some cases will require no further investigation because we identify that planning permission already exists for the work, that planning permission was not required or that enforcement action is not proportionate to the level of harm caused by the breach. Others will be resolved by way of negotiation in accordance with the government advice.
18. The Council currently has 8.8 enforcement officer posts in the 4 area teams (of which three are currently vacant). There are two enforcement officers in the South area which are above establishment and the vacant post in West is now being covered by an agency post. There are 1.5 posts in the minerals and waste team. Section 7 provides information on enforcement cases in hand and the number resolved/closed during each quarter.

Five Year Housing Land Supply and the Housing Delivery Test

19. Section 8 provides information on the Council's Five Year Housing Land supply position and Housing Delivery Test results. This is by area with Area West split into the former Taunton Deane and West Somerset areas as the position relates to the relevant adopted local plans. Areas North, West and South can currently demonstrate a five year land supply. The supply position in Areas East, West and South has been affected by the need to ensure developments are nutrient

neutral in the Somerset Levels and Moors catchment areas and in the case of South and West the River Axe catchment area. As more solutions to the problem become available the number of additional homes granted planning permission will increase and over time the position is expected to improve (please see update report on Phosphates on this agenda)

Most recent Five Year Housing Land Supply by Area

Five Year Housing Land Supply	Years
Area East (Mendip) as at 2022	3.76
Area North (Sedgemoor) as at 2021	6.94
Area West (Taunton Deane) as at 2023	5.16
Area West (West Somerset) as at 2023	7.9
Area South (South Somerset) as at 2022	3.7

20. The Housing Delivery Test is an annual measurement of housing delivery i.e housing completions and was introduced by the Government in 2018. It is dependent on the development industry to build out schemes granted planning permission. The latest results were published in January 2022 for the period up to 2020/21. Data shown in Section 8.5 and Tables 26-29 for 2021/22 is based on local monitoring and includes the results for each of the former Districts. The test means that where there is under delivery of homes the presumption in favour of sustainable development applies where there have been insufficient homes built over the previous three year period (currently set at less than 75% of the housing requirement), irrespective of whether an LPA can demonstrate a five year supply of deliverable housing sites. For those authorities where housing delivery is less than 95% of the housing requirement an action plan should be prepared to assess the cause of under delivery and identify actions to increase delivery in future years. If housing delivery was less than 85% of the housing requirement in addition to preparing an action plan a 20% buffer is added to the calculation of the five year housing land supply. If housing delivery was less than 75% of the housing requirement the presumption applies in addition to preparing an action plan and applying a 20% to the five year housing land supply. The sanctions apply until the release of the next HDT results the following year. For the former Taunton Deane and West Somerset Areas the figures in Appendix 1 have been updated to show the position if the HDT up to 2022/23 was based on the current criteria.
21. The latest nationally published results were for 2020/21 and show that Area South was at 131%, Area North was at 128%, Area West was at 76%, Area East

was at 98%. In accordance with the requirements Area West published an action plan.

Background Papers

22. None

Appendices

- **Appendix A: Planning Services Performance in Somerset**