

**Report Title: Quarterly report on planning service performance
(Q2 & Q3 combined report)**

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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 Q2 and Q3 of 2023/24.
2. Appendix 1 attached to the report sets out performance data for Q2 and Appendix 2 sets out performance data for Q3. 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 – Q2 and Q3 of 2023/24

Development Management

7. Section 1 of each Appendix sets out the number of planning applications received by Somerset Council by area and for the Minerals and Waste Team for the previous 8 quarters, 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.

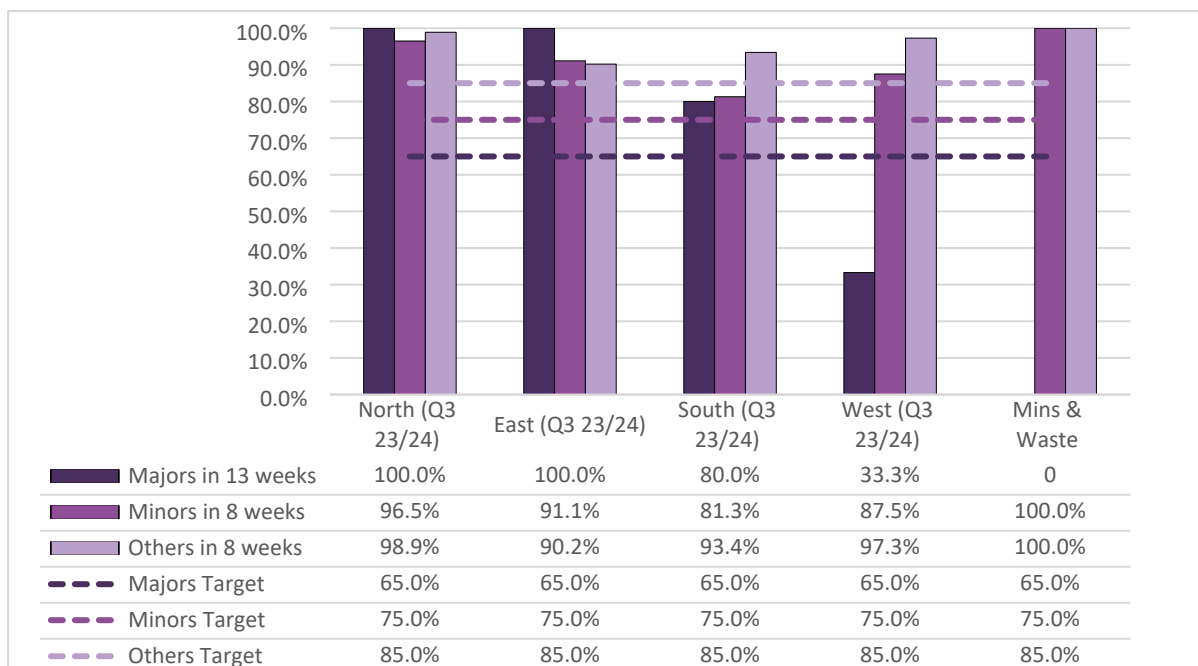
¹ Thresholds: The criteria for designation were updated in October 2022 set designation thresholds for the speed of decision making if an authority made less than 60% of decisions for major development within the statutory period or such extended period as agreed and less than 70% for non major development 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). 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)

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 which is the data published by DHLUC.

Chart showing the latest quarter data (Q2 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 (as above) for the period of 8 quarters up to Q2 of 2023/24 set out in Section 3 of the Appendix A shows that for this period all targets have been met and there are no concerns.



The trend for data up to Q3 shows that performance in the West team has dropped for Major applications, but overall, the performance of the Council is above the targets and not flagged with DLUHC for concerns. It is however something that is being carefully monitored and is most likely as result of reduced staff and increased workload as highlighted as an emerging concern in previous reports.

9. Section 2 of each 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 to government it is useful as a gauge as to how the area teams are managing the volume of work. Where there are more applications on hand at the end of the period than determined during it, this is evidence of a building backlog and something that is monitored.
10. The reasons for a backlog were explained in the previous report. Attempts are still being made to fill the vacant posts with permanent staff, 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 yet.
11. A recent survey by the RTPI² shows that 82% of local authority planners said their employer had difficulties hiring planners in the last 12 months and 68% saw

² [RTPI | Interim State of the Profession 2023](#)

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 of each appendix 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 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 of each appendix 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 designation³. The calculation is based on the percentage of the total number of decisions made by the authority on major and non major⁴ 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.

If the percentage overturned at appeal is more than 10% of the total number of decisions the authority meets the threshold for designation. The table below shows the figures for the most recent reporting period:

³ <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

⁴ 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

	Major	Non-Major
East (Mendip)	4.1%	0.7%
North (Sedgemoor)	1.2%	0.2%
South (South Som)	0%	0.2%
West (Som West & Taunton)	4.1%	0.9%
Minerals & Waste (County)	0%	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.

Committees

16. The Council is undertaking a review of the Committee arrangements, scheme of delegation and terms of reference, which will be reported to the Governance Committee with any recommendations for amendments to the Constitution being agreed by Full Council. A date for this is to be confirmed.

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. Section 7 of each appendix 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 of each appendix 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 and West can currently demonstrate a five year land supply, with the exception of the former Taunton Deane area following a recent appeal decision. 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.

Most recent Five-Year Housing Land Supply by Area for Q3
(Q2 data in appendix 1)

Combined Five Year Housing Land Supply Calculation	Years
Area North (Sedgemoor) - 2023	6.51
Area East (Mendip) - 2023	3.24
Area South (South Somerset) - Jan 2024*	2.98-3.10
Area West (Taunton Deane) - Feb 2024**	3.75
Area West (West Somerset) - 2023/24	8.29

* Inquiry session for appeal APP/E3335/W/23/3328322

**Appeal Decision APP/W3330/W/23/3329488, 14 Feb 2024

20. The Housing Delivery Test is an annual measurement of housing delivery in the area of relevant plan making authorities published by DLUHC. The latest test results were published on 19 December 2023 for the period up to 2021/22. These results show that Area South is at 135%, Area North is at 110%, Area West is at 98%, Area East was at 76%. Data for the past 5 years is shown in Appendix 2 Section 8.4 and Tables 26-29.
21. Changes to HDT were published as part of the NPPF consultation in January 2023. From the day following the publication of the Housing Delivery Test

measurement where delivery of housing has fallen below the housing requirement the following consequences apply:

Below 95% - publish an action plan,

Below 85% - 20% buffer on housing requirement in 5YHLS and publish an action plan,

Below 75% - application of presumption in favour of sustainable development, 20% buffer on housing requirement in 5YHLS and publish an action plan.

22. The sanctions apply until the release of the next HDT results the following year. An action plan will be published for Area East in due course.

Background Papers

23. None

Appendices

- **Appendix 1: Q2 Planning Services Performance in Somerset**
- **Appendix 2: Q3 Planning Service Performance in Somerset**