

Sandwell Metropolitan Borough Council

4 April 2017

Annual Report of the Planning Committee for 2016

1. Summary Statement

- 1.1 The Council establishes the Planning Committee each year to deal with matters relating to the Town and Country Planning Acts and related legislation, which mainly concerns the determination of planning applications.
- 1.2 The Committee is required to submit an Annual Report to Council each year detailing the work undertaken throughout the year.

2. Recommendation

- 2.1 That the Planning Committee Annual Report for 2016 be received.

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Director - Regeneration and Planning

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3. Strategic Resource Implications

- 3.1 Officer time and legal costs for dealing with planning applications are resourced from application fees and existing budgets.

4. Legal and Statutory Implications

- 4.1 The Council, as local planning authority, has a statutory duty to provide a Development Management service as required by the Planning Acts and associated legislation.

5. Implications for Council's Scorecard Priorities

- 5.1 The work of the Regeneration and Economy Directorate contributes to the Council's Scorecard Priority Great Place.

6. Background Details

- 6.1 There are no further background details to add to this report.



Sandwell

Metropolitan Borough Council

Annual Report of
the Planning Committee
2016

Foreword – Chair of the Planning Committee

As Chair of the Planning Committee it gives me great pleasure to provide the foreword for this annual report.

My role is to chair, lead and co-ordinate the activities of the Planning Committee and with the continued hard work and dedication of our planning officers, ably supported by the Members of the Committee; we have achieved continued success in 2016.

We have been able to build on changes to working practices that have improved the swiftness of dealing with applications to respond to customer needs as well as giving officers the freedom to engage, provide guidance and give every assistance to encourage new development within Sandwell. This has been reflected in the accolade of Sandwell winning the Royal Town Planning Institute award of ‘Local Authority Planning Team of the Year’ for 2014/15.

This progress is largely down to increased delegated powers to officers and the setting of performance targets above and beyond those required (and closely monitored) by Central Government, coupled with a rolling programme of Member training regarding new planning regulations and related matters.

In 2017 the Planning Committee will continue to seek to add value to new development in Sandwell by ensuring the effective and efficient determination of planning applications in a fair, open and transparent manner.



Councillor Steven Frear
Chair of Planning Committee

1 The Planning Committee

The Council establishes the Planning Committee each year to deal with matters relating to the Town and Country Planning Acts and related legislation, which mainly concerns the determination of planning applications.

How Planning Committee Works (At the Meeting)

The aim has always been to ensure that Planning Committee is as open and inclusive as possible. In this respect, both applicant and objectors are invited to the meeting at which the application they have an interest in is to be determined.

One representative from each side is then given a maximum of five minutes each to make their particular case. Members may also ask supplementary questions of each side. Senior officers from Planning as well as Democratic Services, Highways, Legal Services and Environmental Health are present to field questions that Members may have. Plans and photographs are displayed on large screens for all present to see. The public gallery is also managed by planning officers who are at hand to answer any further questions from the public. The public are given a real opportunity to take part in the meeting, see the democratic process in action and have their voice heard.

Membership

From January 2016 to May 2016 the following Members were appointed to the Planning Committee:-

Councillor Frear (Chair);
Councillor Downing (Vice-Chair);
Councillors Allen, Costigan, S Davies, Dhallu, Garrett, R Horton,
P M Hughes, Preece, B Price, Rouf, Tagger, Trow, Webb and Worsey.

For the 2016/17 municipal year, the Council appointed the following Members to the Planning Committee:-

Councillor Frear (Chair);
Councillor Downing (Vice-Chair);
Councillors Costigan, K Davies, Edis, Garrett, Gavan, EA Giles, Haque,
R Horton, P M Hughes, Sandars, Tagger, J Taylor, Tranter and Webb.

2. Business of the Committee

During 2016, Planning Committee met on a monthly basis and considered 121 applications, which was an increase on 2015. Below is a breakdown of each Committee meeting in terms of numbers of applications determined, whether the decision of the Committee was in accordance with the officer's recommendation or not and the number of site visits undertaken;

2016 Planning Committee Breakdown

| Date of Committee | No of Applications on Agenda | Decision With Officer Recommendation | Decision Against Officer Recommendation | Application Withdrawn | Visit | Deferred |
|-------------------|------------------------------|--------------------------------------|---|-----------------------|-------------------|-----------------|
| Jan | 14 | 7 | 0 | 1 | 5 | 1 |
| Feb | 13 | 9 | 0 | 0 | 3 | 1 |
| March | 14 | 10 | 0 | 0 | 4 | 0 |
| April | 7 | 4 | 1 | 0 | 1 | 1 |
| May | 8 | 3 | 0 | 0 | 5 | 0 |
| June | 6 | 4 | 0 | 0 | 0 | 2 |
| July | 8 | 3 | 0 | 0 | 5 | 0 |
| Aug | 13 | 4 | 1 | 0 | 5 | 3 |
| Sept | 9 | 5 | 1 | 0 | 2 | 1 |
| Oct | 10 | 8 | 0 | 0 | 2 | 0 |
| Nov | 11 | 7 | 0 | 0 | 4 | 0 |
| Dec | 8 | 4 | 1 | 0 | 3 | 0 |
| | | | | | | |
| Total | 121 | 68 (56.2%) | (3.3%) | 1 (0.9%) | 39 (32.2%) | 9 (7.4%) |

By way of comparison, the figures for 2015 were as follows;

| Date of Committee | No of Applications on Agenda | Decision With Officer Recommendation | Decision Against Officer Recommendation | Application Withdrawn | Visit | Deferred |
|-------------------|------------------------------|--------------------------------------|---|-----------------------|-----------------|---------------|
| Jan | 7 | 1 | 0 | 0 | 6 | 0 |
| Feb | 10 | 8 | 1 | 0 | 1 | 0 |
| March | 6 | 2 | 0 | 0 | 4 | 0 |
| April | 9 | 4 | 1 | 0 | 3 | 1 |
| May | 14 | 6 | 0 | 0 | 7 | 1 |
| July 1st | 18 | 9 | 0 | 2 | 5 | 2 |
| July 29th | 13 | 8 | 0 | 0 | 4 | 1 |
| Aug | 7 | 5 | 0 | 0 | 2 | 0 |
| Sept | 4 | 3 | 0 | 0 | 1 | 0 |
| Oct | 9 | 3 | 1 | 0 | 4 | 1 |
| Nov | 8 | 3 | 1 | 1 | 3 | 0 |
| Dec | 11 | 6 | 0 | 0 | 5 | 0 |
| | | | | | | |
| Total | 116 | 58 (50%) | 4 (3.5%) | 3 (2.5%) | 45 (39%) | 6 (5%) |

3. Commentary on the work of Planning Committee and Development Management

Numbers of applications received and determined:

2016

1282 planning applications received of which 1237 applications were determined.

Of the 1237 applications determined, 1160 (93.8%) were dealt with by officers using delegated powers (the current average for England as a whole is 91%).

Of those determined applications:-

1175 were approved (95.0%)

62 were refused permission (5.0%)

Again, by way of comparison, the figures for 2015 are listed below:

2015

1080 planning applications received of which 1021 applications were determined.

Of the 1021 applications determined, 956 (94%) were dealt with by officers using delegated powers.

Of those determined applications:-

975 were approved (95.5 %)

46 were refused permission (4.5 %)

The figures above indicate that the overall number of planning applications received during 2016 revealed a significant increase on 2015. Notwithstanding this, these numbers are affected by the fact that in 2013, the Government introduced a new 'Prior Approval' system which is intended to primarily allow householders greater scope above and beyond existing regulations to extend their properties. Before this date such extensions would have required a formal planning application to be submitted. These Prior Approvals do not appear in the formal figures for the numbers of applications dealt with but in essence the process and the work required is the same although no fee is paid. The Council received 244 such applications in 2016.

The large percentage of applications approved in part reflects the openness of the service in encouraging developers and prospective applicants to engage in pre-application discussions which are currently provided free at Sandwell. This approach has been worked up into a more formal 'Development Agency' approach in order to send the message that the Council, despite the existing economic difficulties, is very much open for business and ready to facilitate development opportunities.

The positive outcome of the vast majority of planning applications submitted at Sandwell is also in part a reflection of where there are problems with a proposed scheme, officers will endeavour to negotiate workable solutions within the prescribed time scales.

In addition to the above planning applications, the Development Management section also dealt with around 500 complaints regarding alleged breaches of planning control. Officers remain acutely aware of the fact that the credibility of the planning system as a whole rests on the ability to take timely and appropriate enforcement action.

A further 150 sites have also been investigated by officers as potentially requiring tidy up work using in the main powers available under Section 215 of the Town and County Planning Act 1990. (This power allows the local planning authority to deal with privately owned land or buildings, the condition of which is adversely affecting the amenity of a particular area). This area of work has grown in recent years on the back of the Council's own 'Grot Spots' programme. Officers continue to strive to build on the good work to date and the partnerships already created both within the Council and with outside bodies such as the Police, Fire Service and rehabilitation groups.

Performance

The local planning authority is monitored closely by the Government regarding the time taken to determine planning applications. (Applicants have a right to appeal to the Planning Inspectorate if their application is not dealt within the prescribed time). The Government targets are as follows:-

- 60% of major applications to be determined in 13 weeks
- 65% of minor applications to be determined in 8 weeks
- 80% of other applications to be determined in 8 weeks

However, Members within Sandwell have modified these targets upwards so **65% of majors, 70% of minors and 80% of others** have to be determined within the required time scales.

“Major” developments are defined as applications for 10 or more dwellings; where the floor space of the proposal exceeds 1000 square metres or if the application site area exceeds 1 hectare.

“Minor” developments include schemes for less than 10 dwellings and where floor area is less than 1000 square metres.

“Others” includes changes of use and householder extensions).

The Planning service has consistently continued to exceed these performance targets throughout 2016. The on-going commitment of all staff, coupled with the assistance of Planning Committee, has very much helped to achieve this;

2016

Major applications: 60; No. determined in 13 weeks: 49

Performance - 81.7%

Minor applications: 266; No. determined in 8 weeks: 229

Performance - 86.1%

Other applications: 911; No. determined in 8 weeks: 862

Performance - 94.6%

Once more, by way of comparison, the figures for 2015 are listed below:

2015

Major applications: 68; No. determined in 13 weeks: 56

Performance - 82.4%

Minor applications: 269; No. determined in 8 weeks: 226

Performance - 84.0%

Other applications: 684; No. determined in 8 weeks: 644

Performance - 94.2%

Customer Satisfaction

Speed of decision making is important but is just one aspect of the service provided. With each decision notice sent out, a customer satisfaction survey is attached. For 2016, 92% of applicants and/ or agents who responded were Very Satisfied or Fairly Satisfied with the overall service.

4. The Committee's Main Achievements

Local Planning Authority of the Year Award

Planning Committee is integral to the Council achieving the Government's performance targets with regard to the time taken to determine planning applications. Throughout the year, Members and officers have strived to work together to not just achieve these targets but also consistently exceed them.

These performance figures also bear testament to the collective efforts to attract new development to the Borough in these continuing difficult economic times. The Planning system can be a positive catalyst for economic regeneration and growth in Sandwell.

Building on this progress, in June 2014 Sandwell achieved the national award from the Royal Town Planning Institute of "Local Authority Planning Team" of the Year for 2014/ 15.

As part of the judge's comments, it was noted that;

"Sandwell has an exemplary track record with the Planning Service consistently exceeding national targets...."

5. Contribution to Scorecard Priorities

The planning decision-making process contributes significantly to a whole range of existing Scorecard Priorities. These include the regeneration of Sandwell; helping create homes that meet people's current and future needs; helping provide the right number of school places; establishing training facilities; and investing in businesses, people and jobs.

6. Training and Development

During 2016 training sessions have been run for Members on the following topics;

| | |
|-----------|--------------------------------------|
| January | Webcasting |
| February | Introduction to Planning |
| March | Housing & Planning Bill 2015 |
| August | Planning Law Updates |
| September | Planning Code of Conduct |
| November | Regeneration schemes across Sandwell |

7. Conclusion

With the threat of poorly performing local planning authorities being put in 'special measures' by the Government, the ability to deal with planning applications in an effective and efficient manner is particularly pertinent at this moment in time. The continued support and pragmatism shown by Committee Members is invaluable in order for planning officers to continue to achieve the high performance and customer satisfaction levels that they have to date.