

# Report to the Planning Committee

10<sup>th</sup> March 2021

<b>Subject:</b>	Annual Report of the Planning Committee 2019 and 2020
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## 1 Recommendations

- 1.1 That Council receive the Planning Committee Annual Report for 2019 and 2020.

## 2 Reasons for Recommendations

- 2.1 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.
- 2.2 The Committee is required to submit an Annual Report to Council each year detailing the work undertaken throughout the year. Due to the disruption caused by the outbreak of Coronavirus, the annual report for 2019 was not presented as proposed. This report now combines an overview of the work of Planning Committee for both 2019 and 2020.

### 3 How does this deliver objectives of the Corporate Plan?

		The planning decision-making process contributes significantly to a number of elements of the Sandwell Vision. 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.
		
		

### 4 Alternative Options

4.1 There are no alternative options.

### 5 Implications

<b>Resources:</b>	Officer time and legal costs for dealing with planning applications are resourced from application fees and existing budgets.
<b>Legal and Governance:</b>	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.
<b>Risk:</b>	There are no risks associated with this report.
<b>Equality:</b>	There are no equality implications associated with this report.
<b>Health and Wellbeing:</b>	There are no health and wellbeing implications associated with this report.
<b>Social Value</b>	There are no implications linked to social value.

### 6. Appendices

Appendix 1 – Annual Report of Planning Committee 2019-2020

## 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 2019 and throughout the challenging times faced in 2020.

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 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.

2019 saw Planning Committee dealing with several major planning applications, in particular at Friar Park, Wednesbury and Tifford Road, Oldbury, that attracted unprecedented levels of public interest and involvement. I was extremely pleased with the way Members and officers alike rose to the challenges and dealt with each application in such a professional manner. During 2020 we all unfortunately became too well aware of the challenges brought about by the pandemic. However, I am extremely pleased with how well working practices have been adapted which has enabled us to carry on. These changes, for example, included the use of 'virtual' planning committee meetings and coupled with the flexibility shown by colleagues to take account of the necessary restrictions placed upon us, has meant that the planning process has continued to perform well.

In 2021 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 Susan Downing - 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 Public 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 2019 to May 2019 the following Members were appointed to the Planning Committee:-

Councillor Sandars (Chair);  
Councillor Webb (Vice-Chair);  
Councillors Costigan, Chidley, K Davies, Downing, Eaves, Edis, EA Giles, L Giles, R Horton, P M Hughes, Piper, Singh, Taylor and Tranter.

At its annual meeting in May 2019 the Council appointed the following Members to the Planning Committee:-

Councillor Downing (Chair);  
Councillor Hevican (Vice-Chair);  
Councillors Ahmed, Allen, Chidley, Dhallu, S. Davies, Gill, P.M. Hughes, M. Hussain, Mabena, Millar, Rouf, Simms and Trow.

Changes to membership during 2020 saw Councillor Trow leave the Committee to be replaced by Councillor I. Jones.

## 2. Business of the Committee

During 2019 and 2020, Planning Committee met on a monthly basis. (Due to Coronavirus and the need for emergency measures, meetings in April and May 2020 were chaired by the Interim Director of Regeneration & Growth). Below is a breakdown of each Committee meeting in terms of numbers of applications determined and whether the decision at the particular Committee was in accordance with the officer's recommendation or not. It should be noted that Members, after considering the facts of a case, can decide to visit to see the application site for themselves or defer in order to seek further information. There was a slight reduction in the number of applications determined by Planning Committee in 2020 which reflected the fall in the larger projects coming forward due to the economic downturn brought about by the pandemic.

### 2019 Planning Committee Breakdown

Date of Committee	No of Applications on Agenda	Decision With Officer Recommendation	Decision Against Officer Recommendation	Application Withdrawn	Visit	Deferred
Jan	13	7	0	0	6	0
Feb	12	5	1	0	5	1
March	9	5	0	0	3	1
April	8	6	0	0	2	0
May	6	3	0	0	3	0
June	8	4	0	0	2	2
July	5	3	0	0	1	1
Aug	5	2	2	0	1	0
Sept	3	1	0	0	1	1
Oct	3	1	0	0	0	2
Nov	8	4	0	0	3	1
Dec 4th	9	6	1	0	1	1
Dec 17th	1	1	0	0	0	0
<b>Total</b>	<b>90</b>	<b>48</b>	<b>4</b>	<b>0</b>	<b>28</b>	<b>10</b>

## 2020 Planning Committee Breakdown

Date of Committee	No of Applications on Agenda	Decision With Officer Recommendation	Decision Against Officer Recommendation	Application Withdrawn	Visit	Deferred
Jan	6	2	0	0	2	2
Feb	8	6	0	0	2	0
March	11	4	1	0	4	2
April	5	5	0	0	0	0
May	6	4	0	0	0	2
June	6	4	2	0	0	0
July	9	8	0	0	0	1
Aug	6	6	0	0	0	0
Sept	4	3	0	0	0	1
Oct	3	3	0	0	0	0
Nov	3	2	0	0	0	1
Dec	8	7	0	1	0	0
<b>Total</b>	<b>75</b>	<b>54</b>	<b>3</b>	<b>1</b>	<b>8</b>	<b>9</b>

### **3. Commentary on the work of Planning Committee and the Development Planning team.**

#### **Numbers of applications received and determined in 2019;**

1211 planning applications received of which 1126 applications were determined.

Of the 1126 applications determined, 1073 (95%) were dealt with by officers using delegated powers.

Of those applications determined:-

1051 were approved (93%)

75 were refused permission (7%)

#### **Numbers of applications received and determined in 2020;**

1067 planning applications received of which 953 applications were determined.

Of the 953 applications determined, 905 (95%) were dealt with by officers using delegated powers.

Of those applications determined:-

898 were approved (94%)

55 were refused permission (6%)

The figures above indicate that the overall number of planning applications received during 2020 fell slightly compared to those submitted in 2019. Notwithstanding this, these numbers are also 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 as dealing with a full planning application. The Council received **237** such applications in 2019, compared to **219** in 2020.

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. A charge for such discussions was introduced at Sandwell from September 2019 to offer a complete service to potential applicants and bring the Council in line with neighbouring authorities. This approach sends 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 in 2019 also dealt with around 300 complaints regarding alleged breaches of planning control. A similar number of investigations were carried out in 2020. 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 in 2019 were also 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). Again, during 2020 this number of cases remained similar. 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 and Fire Service.

## **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

70% of minor applications to be determined in 8 weeks

80% of other applications to be determined in 8 weeks

*“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 2019 and 2020. The on-going commitment of all staff, coupled with the assistance of Planning Committee, has very much helped to achieve this;

## **2019**

Major applications: 43; No. determined in 13 weeks: 40

**Performance** - 93.0%

Minor applications: 269; No. determined in 8 weeks: 245

**Performance** - 91.7%

Other applications: 814; No. determined in 8 weeks: 770

**Performance** - 94.6%

## **2020**

Major applications: 29; No. determined in 13 weeks: 28

**Performance** - 96.6%

Minor applications: 222; No. determined in 8 weeks: 196

**Performance** - 88.3%

Other applications: 702; No. determined in 8 weeks: 624

**Performance** - 88.9%

## **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 2019, 92% of applicants and/ or agents who responded were Very Satisfied or Fairly Satisfied with the overall service.



## 4. The Committee's Main Achievements

Planning Committee is integral to the Council achieving the Government's performance targets with regards 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...."**

In 2018 the Planning Service also took part in a Corporate Peer Review and the feedback provided was of a service that contributes positively to the wider aspirations of the Council.

## 5. Contribution to Sandwell Vision

The planning decision-making process contributes significantly to a number of elements of the Sandwell Vision. 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

The pandemic has unfortunately disrupted proposed training for Members but the following sessions during 2019 and 2020 have been run on the topics below;

April 2019	Houses in Multiple Occupation
June	Introduction to Planning for new Members
July	Householder permitted development rights
August	Building Regulations process
September	Material Considerations – part 1
October	Material Considerations – part 2
November	The Development Plan
February 2020	Council Housing Development and Delivery

## 7. Conclusion

The Council will continue to strive to deal with planning applications in an effective and efficient manner. 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.