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STRATEGIC PLANNING & ENVIRONMENT OVERVIEW & ACCOUNTABILITY AGENDA

**WEDNESDAY 6 NOVEMBER 2024 AT 7.30 PM
CONFERENCE ROOM 2 - THE FORUM**

Membership

Councillor Alan Anderson (Chair)
Councillor David Deacon (Vice-
Chairman)
Councillor Jonathan Gale
Councillor Claire Hobson
Councillor Angela Mitchell
Councillor Brian Patterson
Councillor Lara Pringle

Councillor Stewart Riddick
Councillor Victoria Santamaria
Councillor Garrick Stevens
Councillor Jane Timmis
Councillor Philip Walker
Councillor Colette Wyatt-Lowe

For further information, please contact Corporate and Democratic Support or 01442 228209

AGENDA

- 8 Q2 PERFORMANCE REPORT PLANNING, DEVELOPMENT AND REGENERATION (Pages 2 - 8)**



Strategic Planning and Environment Overview and Scrutiny Committee

Report for:	Strategic Planning and Environment Overview and Scrutiny Committee
Title of report:	Planning Quarter 2 Performance Report 2024-25
Date:	01 November
Report on behalf of:	Cllr Adrian England, Portfolio Holder for Place
Part:	I
If Part II, reason:	N/A
Appendices:	Appendix 1 – Performance Report
Background papers:	
Glossary of acronyms and any other abbreviations used in this report:	None

Report Author / Responsible Officer

Philip Stanley (Head of Development Manager) / (Assistant Director – currently vacant)



philip.stanley@dacorum.gov.uk / 01442 228579 (ext. 2579)

Corporate Priorities	<ul style="list-style-type: none"> - A clean, safe and enjoyable environment - Building strong and vibrant communities - Ensuring economic growth and prosperity - Providing good quality affordable homes, in particular for those most in need - Ensuring efficient, effective and modern service delivery - Climate and ecological emergency
Wards affected	All

Purpose of the report:	1. To set out the performance outturn for the service for Quarter 1 of 2024-25.
Recommendation (s) to the decision maker (s):	1. That the report is noted.
Period for post policy/project review:	

1. Introduction

1.1 This report presents the performance outturn for the Planning service for the first quarter (April – July) the business year 2023-24. The full performance report is at Appendix 1.

1.2 The performance report at Appendix 1 shows a total of 2 indicators for Planning, both of which are green, i.e. in target.

Planning Applications Determined Within Target

1.3 The percentage of all planning applications determined within target (DMP01) sits at 81%, against a target of 70%. The percentage is down from 84% compared to Q1 (and 86% compared to Q4 2023/24). Nevertheless, this represents sustained overall good performance from the team, particularly given the ongoing restrictions relating to the Chiltern Beechwoods SAC and managerial vacancies during the period. However, some caution must be added as this figure includes applications that were granted within an agreed extension of time.

1.4 Vacancies within Development Management, with the appointment in September of a permanent Urban Designer and an interim DM Manager (covering maternity leave), are the Specialist Services Manager (leading the Enforcement and Conservation sections), with the successful candidate starting on November 18th and a Planning Officer position, which has been successfully recruited into and we are now awaiting the end of their Notice period.

1.5 Major planning application performance returned to 100%, after dropping to 75% in Q1. This is a particularly good performance considering that 10 Major planning applications were determined in the period. The team remain very busy in dealing with the upturn in Majors being received at application and pre-application stage noted in the previous report.

1.6 As for Minors and Others, they performed in Q2 as follows, against a 70% target:

MONTH	MINORS (%)	OTHERS (%)
July 2024	68.75	79.27
August 2024	71.43	80.0
September 2024	95.65	73.97
TOTAL Q2 (2024/25)	80.0	77.67

1.7 Minors took a dip in July, but recovered in August and performed excellently in September, so that for Q2 overall the performance exceeded the 70% target. In respect of Others (i.e. householders) the performance was above target, though September was only marginally above target. From April 1st Officers have been informed that no Extensions of Time can be sought for householders. This is an internal measure introduced to ensure the completion of these applications within the statutory 8-weeks without relying on additional time agreed by the applicant / agent. This has begun to impact on the performance of the team, but the figures above represent an actual 8-week performance and are therefore a better outcome for applicants in terms of speed of decision-making.

Enforcement Site Visits

- 1.8 The percentage of all planning enforcement priority site visits (PE04) has gone up to 100%, thereby achieving the target. This represents a sustained improvement in performance over the previous quarters:
- Q1 (2024/25) = 94.7%
 - Q4 (2023/24) = 72%
 - Q3 (2023/24) = 32%
- 1.9 In order to achieve this sustained performance a decision was made to temporarily not fill a Planning Officer vacancy to allow the additional Enforcement resource to continue for a further six months, i.e. until the end of January 2025. An Enforcement Strategy will be prepared with the arrival of the new Specialist Services Manager to establish the goals and next steps of the Planning Enforcement team in the next financial year.
- 1.10 Furthermore, the Enforcement service remain focused on dealing with the most harmful breaches of planning control. A total of 9 formal Notices were served in the quarter as follows:
- 7 Enforcement Notices
 - 1 Listed Building Enforcement Notice
 - 1 Listed Building Temporary Stop Notice.

Appeals

- 1.11 Appeal performance, whilst not a KPI, is a national government indicator on the 'Quality' of decision-making on planning applications.
- 1.12 In the quarter subject to this report Development Management received 21 appeals, of which 6 were appeals against Enforcement Notices. 24 appeals were determined in this quarter of which two-thirds were dismissed or withdrawn, with 8 allowed appeals. Out of the 8 allowed appeals, two were allowed on a 'technicality', i.e. the Inspector agreed with the Council's conclusions, but as they re-imposed or amended conditions they were required to 'allow' the appeal.

Suitable Alternative Natural Greenspace

- 1.13 Officers are reviewing the types of development Council Strategic SANG will be allocated to and will be updating the allocations protocol within the Chilterns Beechwoods SAC Mitigation Strategy. This need has arisen as the number of new homes the Council's Strategic SANG can now provide mitigation for has reduced over time, as capacity has been allocated to development. The review will ensure that capacity is safeguarded for the types of development that are most in need of Strategic SANG and those that will deliver the Council's priorities. In the meantime, an early warning notification has been published on the Council's website highlighting that due to reduced supply, capacity issues may arise, and that the allocations protocol is being reviewed. As the Council brings forward further Strategic SANG sites this position will be reconsidered.
- 1.14 The Box Moor Trust continues to work with DBC and both respective legal advisors on an agreement which can be used between the Box Moor Trust, applicants and DBC to allow the Box Moor Trust to provide SANG credits for development sites within the catchment area of Westbrook Hay. This is good news for the future supply of SANG in the borough.
- 1.15 Officers are continuing to work on the SANG management plan for Margaret Lloyd Park. This will incorporate an extension to the existing park, delivered through the adjacent Marchmont Farm

development. Once the first draft management plan is complete, engagement with Ward Members will be undertaken.

1.16 An update on planning applications proposing SANG Is below.

- **23/02972/MFA** Planning application for the change of use from agricultural land to Suitable Accessible Natural Green Space (SANG), together with a vehicular access, car park, paths, fencing and landscaping at Castle Hill Berkhamsted Hertfordshire – DMC resolved to grant permission on 11 July 2024. This was granted with the completion of the s.106 agreement on 03 September 2024.
- **23/02508/MFA** Planning application for the change of use from agricultural land to a Suitable Alternative Natural Greenspace (SANG) together with provision of a new car park at Haresfoot Farm (Commercial) Chesham Road Berkhamsted Hertfordshire HP4 2SU – DMC resolved to grant planning permission at DMC in April 2024. This was granted with the completion of the s.106 agreement on 23 September 2024.
- **24/01239/MFA** Planning application for Change of use from agricultural land to Suitable Alternative Natural Green Space (SANG), together with a vehicular access, car park, paths, fencing and landscaping at Land Nettleden Road Potten End Berkhamsted Hertfordshire. This application was refused at DMC on 31 October 2024 on the grounds of harm to the Chilterns National Landscape and to the Ancient Woodland within the site.
- **24/01593/MFA** Planning application for the change of use from agricultural land to Suitable Alternative Natural Greenspace (SANG) with associated access and car park at Land East of Green Lane Gaddesden Lane Gaddesden Row Hemel Hempstead Hertfordshire. Application validated 16 July and pending decision. This is anticipated to be decided at DMC on December 12th.

2. Options and alternatives considered

2.1 Not applicable.

3. Consultation

3.1 James Doe – Strategic Director (Place)

3.2 Diane Southam – Assistant Director, Place Communities and Enterprise

4. Financial and value for money implications:

Financial

4.1 None arising from decisions on this report though the financial indicators for Planning fees report an under recovery of income against target levels.

Value for Money

4.2 None arising from this report.

5. Legal Implications

5.1 None arising from this report.

6. Risk implications:

6.1 None arising from this report. Risks addressed through service level risk register.

7. Equalities, Community Impact and Human Rights:

7.1 Community Impact Assessment - Not applicable for this report.

7.2 Human Rights – There are no Human Rights Implications arising from this report.

8. Sustainability implications (including climate change, health and wellbeing, community safety)

8.1 None arising from this report.

9. Council infrastructure (including Health and Safety, HR/OD, assets and other resources)

9.1 None arising from this report.

10. Conclusions:

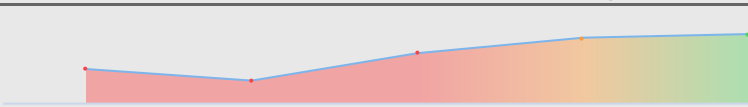
10.1 Not applicable

Appendix 1 - Performance Report (attached separately)

Strategic Planning & Environment OSC

Place Report

Planning Performance Summary

Measure Code ↑	Measure	Date	Actual	Target	Last Year Actual	DoT	Performance Trend
DMP01 (Q)	Percentage of all planning applications determined within target (Q)	Sep 2024	81.13	70.00	79.35	✖	
Although slightly lower than the last quarter, it is well above target and also higher than the same period last year. Extensions of Time have been needed to achieve this figure.							
PE04 (Q)	Percentage of all planning enforcement first site visits completed within target (Q)	Sep 2024	100.00%	100.00%	49.06%	✔	

Place and Enterprise Performance Summary

Measure Code	Measure	Date	Actual	Target	Last Year Actual	DoT	Performance Trend
AP01 (Q)	Number of young people attending Adventure Playgrounds	Sep 2024	12,146.00	5,600.00	3,475.00	✔	
ED01 (Q)	Occupancy rate at the Maylands and Kylna Business Centres	Sep 2024	82.20%	90.00%		✖	
ED03 (Q)	Number of Business Engagements	Sep 2024	61.00	120.00		✔	
OTH02 (Q)	Old Town Hall Customer Satisfaction (Q)	Sep 2024	95.30	90.00		✔	