

Public
Key Decision - No

HUNTINGDONSHIRE DISTRICT COUNCIL

Title/Subject Matter: Planning Services - Update

Meeting/Date: Overview & Scrutiny (Performance & Growth) –
4th October 2023
Cabinet – 17th October 2023

Executive Portfolio: Executive Councillor for Planning

Report by: Chief Planning Officer

Wards affected: All Wards

Executive Summary:

On the 1st April 2022 Strategic Growth and Development Management were merged back under one Planning Service, with a new Chief Planning Officer in post. This report presents an update on activity within planning services over the past sixteen months, until the end of August 2023. The primary focus of this report will be Development Management and the determination of planning applications, alongside an update on the Local Plan

A new Corporate Plan has been adopted and this report will identify the strategic role Planning plays across the 3 pillars of 'Do, Enable, Influence'

Prior to April 2022 it was recognised that Development Management was experiencing a high turnover of staff, placing an increasing reliance on external contractors. An outcome of that was increased budget pressures for the service, alongside an increasing backlog of planning applications and cessation of our pre-application service while existing staff were experiencing unsustainable workloads. The report aims to provide an update on the journey to date to reduce the backlog and establish a sustainable planning service through a programme of planning improvements and reduced reliance on external contractors. This journey is not complete but it is timely to share an up to date position statement of activity. In addition, this report will take the opportunity to provide an update across the services that make up Planning Services and provide an update on the progression of the update to the Local Plan 2036.

On the commencement of a new Planning Service, it was evident that the focus was on decision making, and time was required to formally identify the backlog of planning applications and establish a monitor and manage approach to older applications. Alongside a need to address a number of vacancies, placing undue pressures on budgets due to a reliance on agency staff.

On the 24th October 2022 it was established that 329 planning applications and 271 tree related applications were over 26 weeks old. On the 28th August 2023 this was reduced to 157 planning applications, and 45 tree-related applications respectively. Alongside a clear focus to reduce the backlog, we have established a programme of planning improvements. The purpose of the programme is to ensure we establish an agile, deliverable and financially sustainable service for the residents and business of Huntingdonshire, reviewing procedures and processes to ensure an equitable service for all service users, with decisions being issued in a timely manner for all users. This will include exploring the role of digital opportunities to streamline processes.

On the 24th January 2023, Cabinet agreed to the preparation of a full update to the adopted Local Plan which will set out a plan for how the district will grow over future decades. A range of consultations took place between February -May 2023 and a 'Call for Sites' between March and June. Engagement events were undertaken with Members and Town and Parish Councils in May and June. On the 21st March Cabinet formally endorsed the Local Development Scheme, which sets out the key milestones in the preparation of the plan.

The Cabinet is

RECOMMENDED

- **to agree on the progress of improvements to the planning service to date.**
- **to note and agree the position on the progress of the update to the Local Plan**

1. PURPOSE OF THE REPORT

- 1.1 This report provides an update on the work to date to erode a legacy backlog, minimise staff turnover and embed new ways of working to deliver a sustainable service across Planning services. It will set out the changes made to date, and progress as an outcome of those changes.
- 1.2 This report will also provide a broad overview across the wider Planning service, including and update on the progress of the Local Plan.

2. BACKGROUND & CURRENT POSITION

2.1 Prior to April 2022, planning matters were delivered under two separate approaches, Strategic Growth and Development Management. Strategic Growth reported to the Corporate Director (Place) and Development Management reported to the Chief Operating Officer. As of the 1st April 2022 the two teams were formally merged under one umbrella of Planning Services, reporting direct to the newly established role of Chief Planning Officer. The Chief Planning Officer reports directly to the Managing Director, while the post of Corporate Director (Place) remains vacant.

2.2 Strategic Growth comprises the following teams:

- Planning Policy (Plan-making; Neighbourhood Plans)
- Implementation (S106 monitoring; CIL; NSIP project management)
- Strategic Development in urban design (large-scale planning applications/ 200 + homes)

Development Management comprises the following teams:

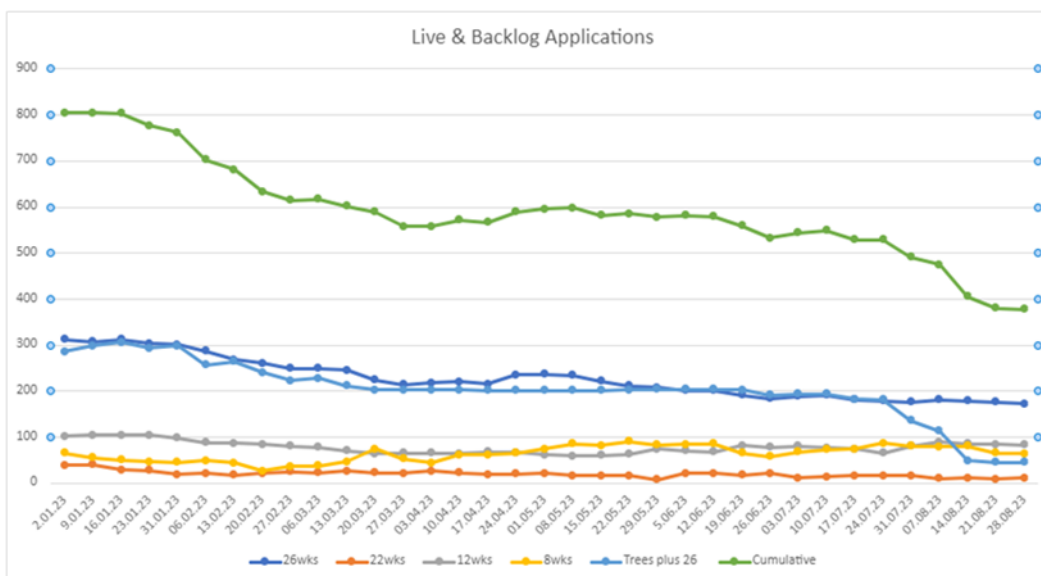
- 2 x Area DM teams (extensions/ minors/major applications/up to 199 units)
- Planning Enforcement
- Planning Validation
- Environment Team (Heritage/Landscape/Trees)

2.3 Under the newly established service it was evident that Development Management had been experiencing challenges of a period of high staff turnover, which placed a reliance on external contractors. For the avoidance of doubt, high staff turnover and the theme of reliance on contractors is not unique to Huntingdonshire District Council, it is a recognised industry-wide problem. An outcome of this period was a significant increase in budget pressures alongside increased workloads for existing staff. The focus had on decision making to ensure Huntingdonshire District Council met government targets and avoided becoming a 'Designated Authority' ([Improving planning performance: criteria for designation \(updated 2022\) - GOV.UK \(www.gov.uk\)](#))and as a result establishing a proper record of legacy backlog applications was could not be accommodated within business as usual. In February 2022, our new Planning Service Manager (Development Management) was recruited, following a period of interim arrangements. In May 2022 our Development Management Area Team Leader (south) joined the service. In December

2022 our Development Management Team Leader (North) joined the service. By December 2022 all managers in planning services were permanent members of staff.

Development Management/Planning Applications

- 2.4 Through Q1 and Q2 of 22/23 a systematic review of all planning applications in the system was undertaken, and risk profiled into categories according to age. The primary focus was applications over 26 weeks old, and establish those without an extension of time presenting a risk of fee-payback to the Council. Under the Planning Guarantee, the planning application fee must be refunded to applicants where no decision has been made within 26 weeks (unless a longer period has been agreed in writing between the applicant and the local planning authority). This only applies to applications submitted after 1 October 2013. Alongside that, all applications (backlog and live) have been categorised.



- 2.5 On the 24th October 2022 329 planning applications were over 26 weeks. On the 1st of April 2023 218 were over 26 weeks old, a reduction of 34%. The ambition set is to have approximately 100 by year end. As of the end of August that has been reduced to 157, a reduction of 48%.
- 2.6 Alongside a significant erosion of the backlog of planning improvements the service has consistently maintained a high performance on decision making as demonstrated as part of wider Corporate Performance Monitoring reported to Cabinet on the 19th September 2023.
- 2.5 While the primary focus is the backlog, it is equally important to embed sustainable new working practices. Working collaboratively with the Council's Transformation team a programme of planning improvements has been established. This will be formal programme that will examine our processes, procedures and ways of working to maximise efficiencies and minimise a risk of a further backlog. As part of that it is understanding the role of digital in that process. To date additional digital work has focussed

on unlocking further potential from existing IT systems. It was agreed that a programme of planning improvements would be formally set out and documented, and a programme manager has been engaged for one year to oversee that programme. They commenced with the authority in June 2023. A further update on the programme of planning improvements will be reported to a later committee.

- 2.6 As part of delivering a sustainable, self-sufficient planning service, the option for applicants to engage in pre-application discussions was re-established in October 2022. As part of a review of backlog applications, it was evident that the cause for a backlog was largely due to poor quality applications, that were required to be amended, and amendments not forthcoming. Amendments not only place undue pressures on officers, but increase financial cost to the authority. On the 4th October 2022, the Portfolio Holder for Planning issued a letter to all members confirming that the department would no longer accept amendments (with the exception of large-scale major applications) and the forum for discussion with officers was through our new established pre-application service (Appendix 1). While not to the satisfaction of all, this has led to improved quality of submissions, and more timely decision making. In accordance with the NPPF we will work proactively with applicants and that is through our pre-application system.
- 2.7 Between April 2022 – March 2023 2004 applications were received. 2002 were validated and 2223 were determined. These are applications of all types.
- 2.8 Between April 2022 – March 2023 37 complaints were submitted across planning services, with 10 proceeding to stage 2. (April 21-March 22 – 58 complaints submitted; 15 stage 2). Complaints represent 2.6% of the overall number of applications determined in the financial year 22-23.
- 2.9 Between April 2022 – 2023 – 3 Complaints investigated by the Local Government Ombudsman
- 2.10 in September 2023 one development management officer is commencing their planning apprenticeship to gain a planning qualification.

Arboriculture/Trees:

- 2.11 For works to be carried out to trees in a conservation area, or works to trees subject of a tree preservation order, an application must be submitted to the Local Planning Authority. In July 2022 our trees officer left the authority. The post was successfully recruited to, with the current officer starting with the authority in November 2021.
- 2.12 As of the 24th October 2022 329 tree related applications were outstanding. As of the 28th of August 2023 this was reduced to 45 cases. This represents an 87% reduction in tree related applications.

Planning Enforcement:

- 2.13 At the end of 2019 1467 planning enforcement cases were open. This has now been reduced to 652. Of that figure, 218 are deemed backlog. The remainder being cases on hand, and actioned in a priority approach based on level of harm, and wider public interest.
- 2.14 Planning enforcement have carried out training on the principles of planning enforcement with the Council's Development Management Committee. In addition, a presentation on the same theme was given to Parish Councils at the virtual engagement session on the 14th April 2022. That presentation was also given in person at the annual Parish Forum, at Burgess Hall on the 14th June 2023.

Programme of Planning Improvements:

- 2.15 Since the commencement of the Programme Manager, the development of project management products has created key mechanisms to plan, manage and monitor the delivery of a portfolio of existing projects across phase 2 and 3.
- 2.16 This combined with the establishment of a change authority has ensured that any risks or issues identified within the service and consequently, the programme has been mitigated, so change requests escalated, approved so corrective action can be taken.
- 2.17 At the same, Business Analysts have begun process mapping the development management part of the service to identify possible areas for improvement, not only process but line of business applications, skills and knowledge of the workforce and management of time.
- 2.18 These findings will develop a new improvement plan for the next 12 – 18 months, with several options and recommendations that consider constraints observed in the service to date.

Local Plan Update:

- 2.19 A Local Plan sets out a plan for future sustainable development in the district. It performs two specific roles:
- It identifies key areas of land for development to deliver the homes, jobs and services needed in the district, and
 - Includes policies against which all planning applications are considered.

The Local Plan is the document by which all development in the district is judged, it provides the basis for what can happen, where it can happen and when it can happen. It forms part of the Development Plan and all planning decisions must be made in accordance with the Development Plan, unless material considerations indicate otherwise.

- 2.20 Cabinet formally agreed to the commencement of an update to the Huntingdonshire Local Plan on the 24th of January 2023.
- 2.21 The following consultations were undertaken:
- Consultation on a Statement of Community Involvement ran 1st Feb- 15th March 2023
 - Sustainability Appraisal Scoping Report ran from 1 February to 15 March 2023.
 - Land Availability Assessment Methodology ran from 29th March to 10th May 2023
 - Settlement Hierarchy Methodology ran from 29th March to 10th May
 - The Call for Sites ran from 29 March to 7 June 2023.
 - The Issues Engagement Papers consultations ran from 26 April to 5 July 2023.
- 2.22 The first phase of engagement on the Local Plan Update finished on 5th July. The Sustainability Appraisal Scoping Report has been amended in the light of consultation responses and is available at [Sustainability Appraisal Scoping Report \(huntingdonshire.gov.uk\)](https://www.huntingdonshire.gov.uk/Sustainability-Appraisal-Scoping-Report). Consultation responses on the draft Settlement Hierarchy Methodology have resulted in substantial amendments to reduce and simplify the approach taken. The purpose of the document is also clarified through its revised title of Sustainability of Settlements Assessments. The Call for Sites generated over 350 submissions; these are now being assessed through the Land Availability Assessment Methodology which has benefitted from minor amendments arising from consultation responses received on this. The sites submitted include 12 in excess of 250ha each for new settlement or major employment proposals. The majority, however, are of 1 to 25 ha in size. Details of all sites received can be found at [Call for Sites - Huntingdonshire.gov.uk](https://www.huntingdonshire.gov.uk/Call-for-Sites) and includes an interactive map. Sites that meet the initial filters in the Land Availability Assessment will proceed to more detailed Sustainability Appraisal.
- 2.23 The Issues Papers were published for engagement in three formats. The Easy Read version received 267 responses of which 66% were from people under the age of 19. The Summary version only attracted 50 responses including 3 Parish Councils. Both included responses from registered consultees who took up these simpler options rather than responding to the full Issues Paper. As a result, responses to the full Issues Paper were dominated by professionals, interest groups and landowners with nearly 2,200 responses submitted.
- 2.24 A Local Plan briefing was held for all Members on the 10th May 2023.
- 2.25 Town and Parish Council engagement included two hybrid meetings to explain the Issues engagements and respond to questions on this. These were held on 24th May and 5th June 2023. They were attended by 80 Councillors representing 34 Town and Parish Councils. However, these only resulted in responses being submitted by the following:

- Full Issues Paper – 11 Towns/Parishes
 - Summary Issues Paper – 4 Towns/Parishes
 - Easy Read Issues Survey - 1
- 2.26 Work is now ongoing to assess sites and prepare further issues and options for engagement in spring/ early summer 2024. This will include engagement with statutory duty to cooperate partners and site promoters and preparation of technical evidence to support the development of the Local Plan Update.
- 2.27 Updates to the Local Plan can be found on a dedicated web page [Local Plan Update - Huntingdonshire.gov.uk](https://www.huntingdonshire.gov.uk/Local-Plan-Update)
- 2.28 The Local Development Scheme was approved by Cabinet on the 21st March 2023. Table 2 sets out the broad timetable for the update to the Local Plan [Local Development Scheme \(huntingdonshire.gov.uk\)](https://www.huntingdonshire.gov.uk/Local-Development-Scheme)

Neighbourhood Planning:

- 2.29 The current adopted Development Plan includes a number of made neighbourhood Plans (NP) for the following towns/parishes:
- Buckden
 - Bury
 - Godmanchester
 - Grafham and Ellington
 - Great Gransden
 - Houghton and Wyton
 - Huntingdon
 - St. Neots
 - The Stukeleys
- 2.30 Activity underway includes:
- Sawtry – Cabinet accepted the recommended modifications to the plan. A referendum is expected in October and expected to be made at Full Council in December 2023
 - St Ives – Reg 14 final draft consultation scheduled for September with Submission expected in December 2023
 - Great Staughton – Reg 14 draft consultation scheduled for September/October
 - Others in preparation: Joint NP for Great and Little Gidding, Hamerton and Steeple Gidding and Winwick; Stilton, Glatton, Hemingford Abbots, Brington and Molesworth, Old Weston and Catworth.
 - SEA screening complete for Great Staughton NP.

Implementation:

- 2.31 This element of the report will focus on the Community Infrastructure. On the 18th April 2023 a spend allocation was presented to Cabinet for consideration. It was agreed that it is timely to review CIL governance in light of ambitions published under the Levelling Up Agenda. As part of that it is noted that the Community Infrastructure Levy is proposed to be

replaced by an Infrastructure Levy. It was anticipated that further advice would emerge from government but that has not been published within anticipated timescales. However, recognising the Council's recently adopted Corporate Plan to 2028, and the three pillars of 'Do, Enable, Influence' it is timely to review governance to support the ambitions of the Corporate Plan.

- 2.32 A project plan is being developed and a further update will be presented to a later meeting.

Other activities within Planning:

- 2.33 The purpose of this report is to primarily give an update on the improvements undertaken to date within Development Management, and to provide an update on the progress to the update to the Local Plan. In addition to the matters discussed above the department continues to work collaboratively with partners in strategic transport matters including East West Rail, bus matters, A141 outline business case and A428 matters, alongside the CPCAs Local Transport and Connectivity Plan, and the Huntingdonshire Transport strategy (CCC).

- 2.34 The team actively engage on strategic matters relating to (but not limited to) the Great Fen, Fens reservoir project liaison, Huntingdonshire Place Strategy; Natural Cambridgeshire Liaison, Biodiversity Net Gain and the Local Nature Recovery Strategy.

- 2.35 The Local Planning Authority has an obligation to maintain a 5 year housing land supply and a statutory duty to publish an Annual Monitoring report

- Part 1(housing) is anticipated to be published in October 2023
- Part 2 is expected to be published in December 2023

- 2.36 The Local Planning Authority has a statutory requirement to publish an Infrastructure Funding Statement annually. That will be published in December 2023.

Agency Staff position:

Strategic Growth:

- 2.37 In the previous two years there has been no spend on agency staff; No spend to date on agency staff for 23/24

Development Management:

- 2.38 In 21-22 – agency staff cost to the department £486K
In 22-23 – agency staff cost to the department £243K
In 23-24 (to date) – agency staff have cost the department £41K

- 2.39 This is a fluid scenario alongside managing vacancies and the need to deliver an efficient service. It should be noted the use of agency staff is carefully considered, and where possible we look to find longer term solutions.

3. COMMENTS OF OVERVIEW & SCRUTINY

- 3.1 The comments of the relevant Overview and Scrutiny Panel will be included in this section prior to its consideration by the Cabinet.

4. KEY IMPACTS / RISKS

- 4.1 The key risks to the performance of the planning department can be summarised as:

- Upturn in staff turnover
- Inability to recruit in challenging times (industry wide)
- Reversal of 'no amendments' policy
- Low update of pre-application advice/ Planning performance agreements.
- Significant changes in national approach to plan-making without suitable transition arrangements (planning policy)
- Significant changes in approach to decision making without suitable transition arrangements.
- Delays to expected government announcements (CIL/IL)
- De-prioritisation of programme of planning improvements.
- Outcomes of appeal/court decisions that place extra procedural requirements on LPAs

5. WHAT ACTIONS WILL BE TAKEN/TIMETABLE FOR IMPLEMENTATION

- 5.1 The timetable for the Local Plan has been published, as per the Local Development Scheme (Paragraph 2.20)
- 5.2 The programme of planning improvements has been formally stood up, with details set out at paragraphs 2.11 -2.14 of this report.

6. LINK TO THE CORPORATE PLAN, (SEE CORPORATE PLAN)

- 6.1 Improved Housing (24) – First Homes position statement

Forward Thinking Economic Growth (35) -Commence update to the Local Plan

Forward Thinking Economic Growth (39)- Influence delivery of strategic transport infrastructure inc. East West Rail, A428, A141 strategic outline business case.

Lowering our Carbon Emissions (44) – Review of the Local Plan.

Lowering our Carbon Emissions (51) – Contribute to the Local Nature Recovery Strategy.

Delivering good quality, high value-for-money services with good control and compliance with statutory obligations (58) - Undertake the Development Management Improvement programme to improve the performance of the planning service.

7. RESOURCE IMPLICATIONS

- 7.1 As identified in this report resources to maintain and deliver an efficient planning service remain carefully monitored and form part of the consideration of for the programme of planning improvements, and future bids to the MTFS. Where possible officer will attempt to access government funding when it becomes available such as the planning skills delivery fund announced in July 2023 to support ongoing skills development of staff.

8. ENVIRONMENT AND CLIMATE CHANGE IMPLICATIONS

- 8.1 The Local Plan update provides the opportunity to make significant changes to the Council's response to the climate crisis and ecological emergency. The Local Plan is in the early stages in identifying the priorities of local residents, businesses and organisations towards these in terms of how planning can help to shape our approaches and require changes to how development impacts on both the built and natural environments. This is not only reflected in the standalone chapters of 'Responding to the climate crisis' and 'Protecting and enhancing the natural environment' but is woven throughout the document in issues such as 'the green economy' and 'water efficiency standards'.
- 8.2 Planning applications must be determined in accordance with the Development Plan, which includes the HLP2036 unless material considerations indicate otherwise. Full regard must be had to ministerial statements and any emerging statutory requirements including the Environment Act 2021, which come into force in November 2023.

9. REASONS FOR THE RECOMMENDED DECISIONS

- 9.1 The planning department has been through significant change since April 2022 but, importantly, continues to do so to ensure a sustainable, agile and deliverable service for the residents and businesses of Huntingdonshire.
- 9.2 The programme of planning improvements meets the required key action under 'Undertake the Development Management Improvement programme to improve the performance of the planning service'.
- 9.3 The Huntingdonshire Local Plan will meet many of the Council's objectives. In particular it meets the required key action under 'improving housing provision' of 'commencing an update of the local plan'.

10. BACKGROUND PAPERS

- [HDC Cabinet - Tuesday, 24th January 2023](#)
- [HDC Cabinet - Tuesday 21st March 2023](#)
- [HDC Cabinet - Tuesday, 18th April 2023](#)
- [Planning and Compulsory Purchase Act 2004](#)
- [National Planning Practice Guidance](#)
- [Corporate Plan and Performance - Huntingdonshire.gov.uk](#)
- [Local Plan Update - Huntingdonshire.gov.uk](#)
- [Improving planning performance: criteria for designation \(updated 2022\) - GOV.UK \(www.gov.uk\)](#)

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