

Councillor John Evans – Portfolio Holder for Planning

Report to Council: 11 March 2024

Local Plan & Planning Policy

The publicity around the Regulation 18 Local Plan consultation last year generated 1742 individual responses, including some very detailed responses from the county council, other organisations, developers as well as many residents. The totality of responses (by topic/theme/item) exceeded 5,000.

Officers have now reviewed all the responses and they will be published online in March. It is not simply a case of publishing each one as it is received. They must first be read, categorised, checked for instances of potential defamation and GDPR issues, redacted if necessary, and then published accordingly. The council will also publish its response to each and every matter raised during the consultation. This work will be published alongside the Regulation 19 version of the plan and submitted to PINS.

Many of the responses received have resulted in officers exploring various amendments to the plan (for example, alternative ways to provide new education facilities, levels of affordable housing etc). This work has started to be provided to the newly formed Local Plan Panel (LPP), the Councillor working group now overseeing work on the local plan.

The first meeting of the LPP took place on 8 February and the Panel agreed the Regulation 19 work programme and provided officers with their views on the emerging affordable housing policy. The Panel also noted the threat of government intervention contained within the letter received from the Secretary of State of Levelling-up, Housing & Communities dated 19 December 2023. If the council does not continue to progress a local plan there is a risk that the Secretary of State will intervene in which event, central government would essentially be able to “impose” a local plan on Uttlesford. Back in October, we published a robust Local Development Scheme (LDS), which provides a high-level timetable of our local plan work. This has been sent to the Secretary of State. The timetable is being met.

The Department of Levelling-up, Housing & Communities has asked the Planning Advisory Service (PAS) to visit the council again and review the timetable and project plan. The review is scheduled for the week commencing 4 March.

The next public meeting of the LPP is scheduled for 21 March, with further meetings to be held in April, May and June. The LDS timetable sets out that the council will formally consider the Regulation 19 version of the plan this coming summer.

Finally, Members will wish to be advised of the “reach” and means used in the Regulation 18 consultation. In summary, it amounted to:

- 35,000 leaflets distributed to households
- 24 posts “pushed” by UDC social media with a combined reach of 23,761 persons (the number of people receiving the content) with an impression hit of 27,188 (the number of times the content was displayed)

- 3,761 people reached via Facebook and Instagram
- 5 Local Plan e-newsletters (10,500 subscribers) with 4,100 links clicked
- 2 Parish Briefings
- 3 District News
- 6 Local Plan Press Releases and associated local press coverage
- Full page news paper advertisement
- 284 social media engagements, including video presentation by Portfolio Holder
- 5 across District Exhibitions (attended by planning policy officers, cabinet and several other members)
- Members' Bulletin and Staff News

Development Management (DM) & Planning Enforcement

Applications & Performance

So far this this municipal year (as of mid-February) the Planning Service has received 2570 planning and related applications and decided 2613. The team is further increasing its efforts to resolve 'stalled' or 'backlogged' applications hence the numbers decided is higher than those received within the year.

In December we were successful in bidding for a government grant to support the development of staff skills and knowledge and thus improving performance in DM. Uttlesford received £99,348 (the full amount sought), which is being used to fund the cost of an additional planning officer, and also a junior ecologist for the next six months, as well as to fund training for all officers throughout the year. The two additional staff members have just taken up their posts with the new junior ecologist supporting the council's Principal Ecologist. Training on specialist areas of planning such as Bio-diversity, design, and performance management is in progress.

It is not just officers who are being offered enhanced training and development. In January 2024 alone, two joint training sessions were run for officers and Members of our Planning Committee, attended also by the Portfolio Holder. The first on design and the work of quality review panels, and the second on legal matters, the NPPF and relevant legislation which was delivered by Senior Counsel. All councillors will soon be invited to attend general Planning Training which will be offered in May / early June.

Training and development, performance, and income generation continue to be priorities in Development Management. In terms of performance the Planning Service has procured Idox Insights (Power BI). This is an interactive software tool which shows live performance data. From March, officers and managers will be able to immediately interrogate the progress of any planning application; what work has been done and what needs to be done by when and by whom. The use of this software, the additional planning officer, and enhanced training is expected to further improve performance (and therefore service-user experience) and income generation within DM.

At the current time 85% of our major applications and 84% of our non-major applications are decided in accordance with target timescales (the government target is 60% and 70% respectively). This compares well to other councils. Our quality of decision making for non-major applications has improved and we have only lost 1.25% of appeals against non-major decisions (government target is no more than 10%).

Designation

In terms of quality of decisions for major planning applications (the applicable metric and reason for which we are designated) the latest statistics place us at around 13%; over the 10% threshold for designation. As far as government is concerned, the council is still losing too many of its major planning appeals; in other words, refusing applications that government (through the appeal mechanism provided by PINS) considers should have been granted permission. It is unlikely that the Secretary of State will de-designate the council while it remains above the threshold. Regular meetings are held with DLUHC officials in order to monitor this and provide them with details of our progress in this and all other areas.

The absence of an up-to-date local plan and now having to add a 20% buffer to our five year housing land supply¹ (which we cannot achieve) as a result of slow build-out rates in the district, means that our Planning Committee's ability to refuse applications is challenged considerably and officers themselves are defending planning appeals from a weakened policy position. In June we expect to publish our Regulation 19 Local Plan which will assist in that we will then be required to demonstrate a four year, as opposed to five year housing land supply.

Business Support Team

In addition to validating and consulting on the 2570 applications referred to above, our small administrative team has processed 117 applications for new street naming and numbering; logged 232 new enforcement cases and 2200 building regulations applications while further supporting 109 planning appeals submitted this year. It has attracted fee income of £44,000 for street naming and numbering work and supported all other fee income referred to below.

Planning Enforcement

Our Planning Enforcement Team dealt with over 200 planning enforcement referrals this year. During the first half of the year the team prioritised unauthorised off-airport airport parking. Enforcement Notices and Stop Notices were served on two established car parks and one emerging car park. One of the sites was cleared of airport car parking, the other will now likely be subject of formal legal action. The team continues to deal with a substantial number of referrals of differing urgency and there is a clear proportionate balance to prioritise the major breaches in the public interest against a backdrop of high public expectation. Moving into the end of the

¹ [\(Public Pack\)Agenda Document for Planning Committee, 10/01/2024 10:00 \(moderngov.co.uk\)](#) Agenda Item 15 provides an overview of UDC's position in terms of five year housing land supply.

year the team has formulated new performance indicators covering every element of the enforcement investigation process.

Planning Fee Income

The DM Team has generated some £1.14m in way of planning application fees this year. In addition, it has generated almost £190,000 in pre-application and PPA fee income. This assists in mitigating pressures on the public purse.

Building Control

Our Building Control Team continues to attract almost 80% of all building regulations applications in the district with the remaining work going to approved inspectors in the private sector. This market share is high compared with officer experiences from other local authorities. It has resulted in attracting fee income of £390,000 this year. The team also won a record number of 'Partnership Applications' (applications for work on sites outside our district) which has generated a further £150,000.

Due to changes in building safety legislation following the Grenfell Tower tragedy, all Building Control Officers must now pass exams to enable them to continue accreditation as inspectors. This is referred to as 'compulsory registration' under the Building Safety Act 2022². Thus, the last quarter has been particularly demanding for our officers while they carry out their day-job and concurrently submitting portfolios of their work and sitting the necessary exams required in order to continue working as local government inspectors. They all the while continue to ensure buildings in Uttlesford are built to the highest safety standards.

² [Professional codes and standards - Building safety - HSE](#)