

SUBJECT: MONMOUTHSHIRE PLANNING SERVICE ANNUAL PERFORMANCE REPORT (APR)
MEETING: PERFORMANCE & OVERVIEW SELECT COMMITTEE
DATE: 19 NOVEMBER 2024
DIVISION/WARDS AFFECTED: ALL

1.0 PURPOSE

- 1.1 To provide the committee with a report on the performance of the Council's Planning Service for the financial year period **2023/24**.

2.0 RECOMMENDATION:

- 2.1 To scrutinise the contents of the Planning Service's Annual Performance Report 2023/24 prior to its endorsement by the Cabinet Member for Planning & Economic Development on 27 November 2024 for submission to the Welsh Government.

3.0 BACKGROUND

- 3.1 The Welsh Government (WG) normally requires all Local Planning Authorities (LPAs) in Wales to submit an Annual Performance Report for their planning service by the end of November each year (albeit that this requirement was relaxed during the reporting periods affected by the Covid pandemic). This requirement links with the Planning (Wales) Act 2015, and the Welsh Government's objective of creating a positive and enabling planning service.
- 3.2 This is the tenth Annual Performance Report (APR). The report to a scrutiny committee provides the opportunity to review and discuss performance and was welcomed by previous Committees, which requested that it become an annual item.
- 3.3 The APR looks at the performance of the Planning Service against nationally set performance indicators, Welsh Government (WG) targets, the Wales average performance, and Monmouthshire's performance over the previous year. The results are considered in the context of the challenges, opportunities, priorities and resources (staffing and financial) available. The objective of the APR is to reflect on and celebrate good performance, identify areas for improvement, and look across Wales to identify potential areas of best practice that Monmouthshire could learn from or share with others. Recently there was no requirement from WG to submit an APR and since the pandemic no all-Wales comparative data has been provided as it had been previously. Again, this year WG has not provided national benchmarking figures to enable the council to review its current status against the Wales average. This is unfortunate as the comparison being made is no longer accurate or reflective

of the status of planning services across Wales during 2023/24. Issues such as resources limitations and environmental considerations such as water quality in rivers would have an impact on local planning authorities across Wales and therefore the comparison is flawed. Despite that, Monmouthshire's Planning Service decided to continue to commit to submitting an APR but had to base the assessment of our performance over those two years against the Welsh average in 2018/19 (the last year the national data was published).

3.4 The APR is divided into sections, with the format and appearance being consistent throughout Wales, and all LPAs reporting on the same performance indicators. The report looks at where the Planning Service sits corporately, local pressures, customer feedback and performance. Performance is analysed across the five key aspects of planning service delivery as set out in the Planning Performance Framework:

- Plan making (omitted from the APR in recent years as no performance data was provided by WG and the issues are more than adequately covered by the LDP Annual Monitoring Report);
- Efficiency;
- Quality;
- Engagement; and
- Enforcement.

This Framework was established by the Welsh Government in partnership with local planning authority representatives. Performance is ranked as 'good', 'fair' or 'needs improvement'.

3.5 The Annual Performance Report is provided at Appendix 1 and the related Performance Framework at Appendix 2.

4.0 KEY ISSUES

4.1 The purpose of the Planning Service is 'To plan for, advise on, give permission for and ensure the best possible development', that links directly to all six of the Council's Corporate objectives. The service is directly involved with wider corporate projects such as 21st Century Schools and forms an enabling tool to help address some of the challenges and issues identified corporately.

4.2 Key areas of work for the Planning Service include:

- Carrying out a replacement of the Monmouthshire LDP.
- Preparing and co-ordinating thematic supplementary planning guidance to help to foster the interpretation and implementation of LDP policy.
- Implementing the Council's LDP through engaging and working with communities, and partnership working with both internal and external partners.
- Monitoring and evaluating development plan policies, including preparing the statutory LDP Annual Monitoring Report (AMR).

- Maintaining the LDP evidence base and ensuring fitness for purpose for future LDP revision.
- Providing pre-application advice to customers;
- Determining planning applications in accordance with adopted policy and material planning considerations, taking into account stakeholder comments and corporate objectives;
- Securing financial contributions from developers to offset the infrastructure demands of new development;
- Safeguarding the County's 2400 Listed Buildings and 31 Conservation Areas, areas of archaeological sensitivity, the Wye Valley AONB and the Brecon Beacons National Park;
- Providing a heritage service for our neighbouring colleagues in Blaenau County Borough that works in a manner that is consistent and as well-resourced as the one provided for Monmouthshire.
- Taking robust enforcement action against unauthorised development that is unacceptable in the public interest.

5.0 MAJOR PROJECTS FROM 2023/24

5.1 During the reporting period these included:

- In October 2023 Council endorsed updates to the Preferred Strategy following the statutory consultation/engagement in December 2022- January 2023. Work is currently progressing on the preparation of the Deposit Plan which is due to be completed in September 2024. It is anticipated that political reporting to seek endorsement of the Deposit Plan for public consultation and subsequent statutory engagement/consultation will take place in Autumn 2024. The revised RLDP timetable will be set out in an updated Delivery Agreement which will be reported to Council at the same time as the Deposit Plan.
- Over the last two reporting periods the work pattern has adapted from 100% of our staff working from home to a more hybrid arrangement with officers using collaboration spaces in County Hall to meet as a group, normally on Tuesdays and Thursdays and Support Team colleagues normally using the original space in the office to meet, scan and train colleagues. Site visits for planning applications have continued although we suspended visits for pre-application advice submissions until our resources were back to full capacity. During the pandemic we had let agents know that all applications to be submitted should be done so electronically as the office was temporarily closed and paper forms of submission could not therefore be scanned for the case officer and consultation purposes. This appears to have produced a shift to almost 100% electronic submissions. Planning Committee has reverted to a hybrid arrangement with some Members preferring to attend in County Hall (others opting to attend virtually).
- We have continued providing a joint heritage service for Monmouthshire and Blaenau Gwent Councils. This commenced in January 2019 and has provided our neighbouring authority with expert heritage advice without the need to employ its own officer or commission a consultant. MCC manages the service for BGBC via a memorandum of understanding (MOU) and provides the staff to deliver a resilient heritage service assisted by BGBC funding.

- Towards the end of the 2021, as a planning authority we were faced with a new constraint of riverine phosphate pollution. Within Monmouthshire it was identified that within the River Usk 88% of the river's water bodies failed to meet the required water quality target and within the River Wye 67% failed to meet the target. As a result of this failure NRW issued detailed planning guidance (updated in July 2023) to ensure that the environmental capacity of the rivers (which are designated special areas of conservation) do not deteriorate any further. Any proposed development within the catchment areas of the rivers that might increase phosphate levels need to clearly evidence within a planning application that the development can demonstrate phosphate neutrality or betterment in its design and/or its contribution to the water body. In most cases there will be limited capacity to connect to the public sewerage system and an alternative solution will have to be found. This requirement on drainage considerations has impacted on all development that increases the volume or concentration of wastewater. We have been working through the guidance and applying it to all new applications in those Wye and Usk catchment areas. This has sometimes delayed applications and many were on hold until the Council had developed a clear strategy for dealing with such issues. We continue to work with a wide range of agencies including WG, NRW, Welsh Water and other authorities (including new nutrient management boards) to find sustainable solutions to this significant environmental problem. Recent work has seen DC-WW commit to providing phosphate stripping technology at Monmouth and Llanfoist waste water treatments works by April 2025. This, allied to NRW's recent review of environmental permits for the main settlements' waste water treatment works, has led to the identification of solutions that will help bring forward much needed development (including affordable housing) in the main towns of Monmouth and Abergavenny as well as smaller settlements in the County.
- Delivering our bespoke pre-application advice service for potential applicants, as well as offering pre-purchase certificates and completion certificates.
- Successfully recruiting new staff and training them to adapt to their new roles in DM and Policy Teams.
- Implementing prioritised elements of the Team's Digital Plan to improve our processes and customer experience – including upgrades to the Idox Document Management System (DMS) and Public Access (PA).
- Securing detailed planning permissions for a 46-home affordable housing scheme north of Caldicot School, a significant employment development (B1, B2 and B8) at Severnbridge Industrial Estate and a 1km closed velo track at Llanfoist.

6.0 CONCLUSIONS AND RECOMMENDATIONS OF OUR 2023/24 APR

6.1 Based on the performance information in Section 6 and Appendix A of the APR, we can be pleased with the service we deliver. During this period:

- The proportion of major applications determined within 8 weeks or agreed timescales was good at 67%, and was above the Good target of 60% (2 out of 3 applications);
- The end-to-end period for determining major planning applications increased from 120 days in 2022/23 to 436 days in 2023/24; this related to just three

applications – one being the approved velo park at Llanfoist that was significantly delayed by phosphate pollution issues (including a Welsh Government holding request for a potential call-in, subsequently withdrawn) and another related to an industrial development at Caldicot on an allocated site that was held up by flood assessment issues for a protracted period;

- The proportion of all applications determined within 8 weeks or agreed timescales remained high at 93%, an improvement on the previous year (89%) demonstrating the effective recruitment and training up of new officers in the Applications team;
- The proportion of applications we approved remained high at 97%;
- Of those applications that had gone through our pre-application advice service, and followed our advice 100% were approved;
- In eight out of ten appeals against our decisions to refuse planning permission the MCC decision was confirmed, well above the ‘Good’ standard of 66% or more;
- We dealt with a large number of applications for listed building consent (51 applications) and 84% of these were determined within agreed timescales;
- Enforcement performance improved for the measure relating to the percentage of enforcement cases investigated in 84 days (rising from 65% to 83%) which is now rated ‘Good’, and the performance significantly improved in respect of the average time to take positive action which fell from 123 days to 91 days, also rated ‘Good’. We investigated 286 enforcement cases and served 13 notices.
- Significant s106 monies (approx. £1.2M) were received towards important community infrastructure schemes including the Magor Hub and the velo park proposal as a result of granting permission for major developments such as those at Rockfield Farm/ Vinegar Hill - Undy, Deri Farm - Abergavenny and Grove Farm - Llanfoist.

6.2 A summary table of our performance can be found in Appendix A of the APR. Of the 12 ranked indicators, 10 are ranked ‘Good’, while 2 are ‘Fair’ and none ‘need improvement’.

This shows that the team is working effectively and has overcome the longer-term effects of vacancies and significant constraints such as phosphate pollution. Our performance has been very good and our pre-application advice service is effective.

The Previous APR’s actions involving reviewing the Enforcement Team’s performance and implementing measures to improve output, initiating the Buildings at Risk Strategy, digitising our enforcement register and upgrading our back office software systems to process applications more efficiently were all completed.

	Number of indicators
Welsh Government target has been set and our performance is ‘good’	10

Welsh Government target has been set and our performance is 'fair'	2
Welsh Government target has been set and our performance 'needs improvement'	0

6.3 Four actions are identified going forwards:

Action 1 – a) Digitise information in relation to older planning applications that are held on microfiche to enable the public to self-serve, reducing the demand on staff time and to reduce the need for travel.

b) Digitise re-surveyed data relating to trees covered by Tree preservation Orders so that the information is accurate and available online and the public can research their enquiries themselves rather than seek this from our Tree Officer, Support Team or Duty Officer.

Action 2 – To finalise and seek political approval for a Buildings at Risk (BAR) strategy to manage and prioritise any interventions to enable key heritage assets to realise a sustainable use for future generations.

Action 3 – To continue to invest in our staff to ensure professional qualifications are achieved and professional development takes place – this includes the accreditation of two of our heritage officers so that the Senior Officer can determine applications for listed building consent involving grade II buildings without reference to Cadw and the Heritage Officer can determine grade II-related applications. The more we develop our own staff, the less reliant we are on a very competitive labour market.*

Action 4 – improve communication and relationships with our community and town councils by providing training on the Planning process with an emphasis on enforcement matters.

6.4 Value of Planning

RTPI Cymru has published a toolkit which measures the value generated by a local authority planning service. The tool has been developed to capture the economic, social and environmental value at a local planning authority level across Wales. The tool and its 'Value Dashboard' have been designed to provide RTPI Cymru and the Welsh Government with a platform to demonstrate to local authorities, national policy makers, the private sector, researchers and other broader policy and media audiences, the value planning contributes and how planning is positively contributing to Wales' seven well-being goals. The data has been updated to reflect planning permissions and completions in the current reporting period, 2023/24. The toolkit has been a very useful means of promoting the good work undertaken by the department that is often taken for granted. Over this period, the toolkit concludes that the service has contributed £68.6M to the local economy by the allocation of sites in the LDP, the safeguarding of land, the granting and implementation of planning permissions, the operation of its enforcement function and the securing of planning obligations. In the two previous reporting periods this equated to approximately £85M – that higher figure reflecting more construction activity

compared to 2023/24 because of the lifecycle of the LDP and the impact of the phosphate pollution issue.

We aim to update this for the ensuing reporting periods, although it is fair to say that the parameters behind the model are now several years out of date and may undervalue the socio-economic contribution of the local planning authority. We will enquire with the RTPI and Welsh Government as to whether the data assumptions behind the toolkit are proposed to be updated. The 'Dashboard' data summarises the Planning Service's contribution below:

Value of Planning in Monmouthshire 2023/24

Planning service key data



30 FTE jobs in planning service



956 applications handled



£0.8m collected in fees

LDP Land Safeguarded

- 20
- 369 ha Green Wedge
- 3,174 ha Local Nature Reserve
- 434 ha open space
- 7,942 ha minerals

LDP Land Allocated

- Residential** 111 ha
- Commercial** 244 ha
- Retail & leisure** 0 ha
- Waste** 0 ha

LDP Value

£2.1m uplift value
(based on land allocated for whole plan period)
Value adding policies 89%

Applications

- 7 major
- 949 minor
- 0 other

0 Statutory 0 Discretionary

- 0 DCOs dealt with
- 2 DNS dealt with
- 51 LBC applications granted
- 10 refusals appealed
- 0 judicial reviews

Decisions

7 934 approvals (98%)
x 22 refusals (2%)
150 xxx

Refusals
Delegated Committee

Approvals
Delegated Committee

Permissions

Permissions

0 Conditional local plan
0 Deputies from local plan

Residential

219 units
£8.8m uplift value
35% affordable

Retail & leisure
2,560 m²
£0.1m uplift value

Tourism
500 bedspaces
1000 self catering

Commercial

5,737 m²
£0.1m uplift value

Renewables & other

2 MW
0 tonnes waste
0 tonnes minerals
0 ha remediation
5 ha formal open space

Contributions

Section 106 income

£1.2m

Breakdown

- Training and employment
- Sports and leisure
- Environment
- Community facilities
- Formal open space
- Primary health
- Education
- Infra structure
- Active travel
- Highways
- Affordable housing

CIL income



£0 total value

Completions

Residential

291 units
26% affordable
£50.9m uplift value
£0.4m council tax p.a

Retail & leisure
1,150 m²
£1.3m uplift value
18 gross FTE jobs

#N/A

Commercial

8,200 m²
£5.2m uplift value
132 gross FTE jobs

#N/A

Renewables

1 MW
£5,000 community benefit

Tourism

500 167 FTE jobs
800 self catering

Enforcement

- 286 enforcement complaints
- 4 planning contraventions
- 6 enforcement notices
- 5 breach of condition notices
- 0 stop notices
- 2 section 125 notices



Wider indicators

£84,000 spend on consultancy fees



£10,000 health benefits of affordable housing provision p.a

11 internal consultees



£90,000 recreational benefits from open space created p.a

1 Energy statements

0 EqIAs

3 Environmental statements

2 Travel plans

0 HIAs

4 Transport assessments

In 2021/22 the total value of planning was

£68.6m

SOURCES: Planning function outputs (LPA or dev), Land and property value data (LLE estimates), business rates valuations (Valuation Office Agency), employment estimates (English Homes & Communities Agency), Council tax rates (Stats Wales), Health benefits Affordable Housing (Department for Communities and Local Government Appraisal Guide, based on various studies outlined in appraisal database), Community benefits from renewables (Renewables UK Cymru). Some of the calculations require highly specific assumptions (for example between 1 and 2 ha). Where possible, benchmarks have been employed otherwise reasonable assumptions have been used. Estimates are based on council tax and gross FTE job estimates based on assumption of 100% occupancy and do not factor in any displacement. Numbers of applications and decisions are unlikely to match up as these can take place in different financial years for a single application. 'Value adding policies' refers to the proportion of policies the team has identified as adding tangible value that are included in local plans. Approvals and refusals do not sum to 100% due to applications carry across years. The total value of planning only incorporates some of the metrics presented in the dashboard.



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7.0 OPPORTUNITIES GOING FORWARD

The following opportunities for the coming year have been identified as a result of this Annual Performance Report, our LDP AMR and our Service Business Plans:

- Continue to roll out the project management of major planning applications, where appropriate, via planning performance agreements to seek, by best endeavours, timely and well-managed processing of such applications, providing a good customer experience for the customer;
- To digitise the information held by the Council in microfiche or paper form to improve the web site experience for customers and improve customers' pathways to information (Action 1 a and b);
- To finalise and implement a Buildings At Risk Strategy to safeguard some of our most precious but vulnerable heritage assets (Action 2);
- Continue with the replacement Monmouthshire LDP because of the need to facilitate the identification/ allocation of additional housing land as well as addressing the demographic and employment challenges of the County;
- To identify, implement and/or disseminate best practice via the Planning Officers' Society for Wales or other working groups, including the Welsh Government, the WLGA and the RTPi
- To support our colleagues via training opportunities, regular reviews and one-to-ones to invest in their careers, ensure their well-being and mental health are resilient and their productivity remains high, helping to meet the challenge of retaining our officers in a currently highly dynamic job market in the built environment professions (Action 3).
- To provide training and support for our colleagues in community and town councils to enable them to engage with the planning process more effectively (Action 4).
- To respond to the challenges raised by the economic squeeze on households and enterprises to ensure our County's communities and local economy can be resilient and can thrive.
- To manage the threat of phosphate pollution in our two main rivers to reduce environmental damage, while finding new ways of managing this issue that will still allow sustainable development to take place in those catchment areas.

8.0 RESOURCE IMPLICATIONS:

8.1 Officer time and costs associated with the preparation of this APR are met from the Development Management budget and work is carried out by existing staff.

9.0 SUSTAINABLE DEVELOPMENT AND EQUALITY IMPLICATIONS:

9.1 Sustainability, equality and well-being considerations are central to the planning service's activities. This report is a review of the previous year's performance against targets and benchmarking information, however the proposed five actions for future improvements seek to improve service delivery to the benefit of our customers and communities.

9.2 An Equality and Future Generations Evaluation is attached as an appendix.

10.0 OPTIONS CONSIDERED

- 10.1 There is normally a requirement on Local Planning Authorities to undertake an Annual Performance Report and to submit it to the Welsh Government each Autumn. Unfortunately, this year WG have been unable to provide the benchmarking figures to enable the council to review its current status against the Wales average. Issues such as the challenging economic conditions, resource limitations and environmental considerations, such as water quality in rivers, would have an impact on Local Planning Authorities across Wales and therefore it is unfortunate that this data is not available to enable a fair comparison of our performance. We could decide not to conduct the APR for this reason however we do consider it useful to carry on with this work to help us continue to improve our service. Consequently, the following options were considered:
- 1) Recommend the APR for submission without any changes;
 - 2) Recommend the APR for submission but with changes to the proposed actions for the coming year.
- 10.2 The APR provides a useful reflection on last year's performance against targets and benchmarking information. The proposed actions seek to continue that journey of improvement, given the resources available to us. Consequently, option 1 is the preferred option.

11.0 HOW WILL SUCCESS BE MEASURED?

- 11.1 The Planning Service is measured against a number of clear and consistent (across Wales, and over time) performance indicators allowing aspects of a successful service to be measured. These indicators need to be viewed in the context of other factors, including customer and stakeholder feedback, outcomes (which are not always captured by performance indicators), and whole Council priorities.
- 11.2 We strive to deliver the best service possible, and our mission is to advise on, give permission for, and ensure the best development possible.

12.0 CONSULTEES

- Planning Committee and the Performance & Overview Scrutiny Committee
- Cabinet Member for Sustainable Economy
- SLT
- Communities and Place DMT

13.0 BACKGROUND PAPERS:

None

14.0 AUTHOR & CONTACT DETAILS:

Craig O'Connor
Head of Planning
01633 644849
craigoconnor@monmouthshire.gov.uk

Philip Thomas
Development Services Manager
01633 644809
philipthomas@monmouthshire.gov.uk