

# **Monmouthshire Local Planning Authority**

## **PLANNING ANNUAL PERFORMANCE REPORT (APR) – 2021 – 22**

### **PREFACE**

I am very pleased to introduce the eighth Annual Performance Report for Monmouthshire County Council's Planning Service.

This report shows that Monmouthshire's Planning Service continues to perform relatively well, with two of the thirteen indicators in need of improvement against the Welsh Government's targets. We are performing well in dealing with all types of planning applications and I am pleased to note that the committee process, which has been held via a virtual meeting over the reporting period, is working effectively showing a very good relationship between members and officers in this authority. The whole team showed commendable resilience during the post pandemic period in continuing to turnaround planning applications and heritage work and to investigate and resolve enforcement cases in a timely manner. This was despite significant gaps in staffing, across all elements of the DM Team as well as resource issues in organisations who respond to consultations on our planning applications.

Where we think there are areas that need improving, we have clear actions to improve those elements of the service.

Good planning is central to the Council's purpose of building sustainable, resilient communities while also generating growth in the economy and protecting the heritage and landscapes that make our County the beautiful place it is. It is central to achieving our well-being objectives for everyone who lives, works and spends time in our beautiful County. As part of this, Planning has a key role in developing affordable homes for those in housing need and assisting the local economy to recover from the Covid-19 pandemic.

Councillor Paul Griffiths, Cabinet Member

## 1.0 EXECUTIVE SUMMARY

- 1.1 This is Monmouthshire's eighth Annual Performance Report, which looks at the performance of the Planning Service against nationally set performance indicators, Welsh Government targets, the Wales average performance, and Monmouthshire's performance last year. The results are considered in the context of the challenges, opportunities, priorities and resources (staffing and financial) available to us. 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 we could learn from or share with others.
- 1.2 The nature of the performance indicators means their focus is on decision speed and customer service rather than measuring whether or not better outcomes have been achieved. It has not yet been possible to identify an objective way of measuring outcomes, however we seek to prioritise securing the best scheme possible rather than traditional indicators relating to speed of decision-making. Research has identified that our customers' priority is securing planning permission: customers generally understand the benefits of good design and, within reason, do not see the time taken as a priority.
- 1.3 For the purposes of this report, performance is analysed across the five key aspects of planning service delivery as set out in the Planning Performance Framework:
- Plan making;
  - Efficiency;
  - Quality;
  - Engagement; and
  - Enforcement.

Owing to the absence of national performance data from Welsh Government (WG) in relation to performance over since 2018/19, in common with the last two APRs, the Plan making element has been omitted. The performance of the Local Development Plan is more than adequately covered in the Annual Monitoring Report, also being submitted to WG in October 2022. For the other areas in the Planning Performance Framework, performance data has been obtained by Monmouthshire officers from the Development Management Quarterly Returns and our own back-office system. In the absence of all Wales data for 2021/22, comparisons have been made with the Welsh average performance for each measure over 2018/19 (the latest reporting period for this national data) as well as our own performance against the measures over 2021/22. Performance is ranked as 'good', 'fair' or 'needs improvement'.

- 1.4 Based on the performance information in Section 6 and Annex A, we can be pleased with the service we deliver given the challenges we have faced. During this period:
- The proportion of all applications determined within 8 weeks, or an agreed timescale, remained above the WG target at 81%, but was lower than in previous years due to pressures on resources;
  - The average time to determine all applications increased to 106 days (from 92 days in 2020/21) but that is explained by the impact of the staffing shortages within the application

team (and among our consultee organisations) as well as the delays caused by the phosphate pollution issue that led to a pause in determining many applications in the central and northern parts of the County;

- The proportion of major applications determined within agreed timescales was 100% and was 32% above the Welsh average in 2018/19, despite the fact resource issues had an impact on application turnaround times;
- 72% of listed building applications were determined within approved timescales and we provided a valued Heritage service for Torfaen (until December 2021) and Blaenau Gwent councils that is discussed later in this Report;
- The percentage of applications that were approved remained at 97%, well above WG average;
- During this reporting period, we closed 368 applications seeking pre-application advice. 141 planning applications stemmed from the pre-application advice we gave. Of those that have been determined four were refused (2.8%) and four were withdrawn (2.8%) due to a change in the applicants' circumstances; the remainder were approved (94%). All four that were refused had not followed the advice we gave at pre-application stage. Consequently, we have a 100% success rate of applications that went to decision stage and followed our pre-application advice.

1.5 A summary table of our performance can be found in Annex A. This year there are 13 relevant indicators and of these 12 are ranked:

- Monmouthshire's performance is ranked 'good' against six, 'fair' against four and there are two 'in need of improvement'. One of the 'fair' results relates to the average time taken to determine all applications in days; this stood at 106 days, missing the target of 67 days but this increase in average time is unsurprising given the higher number of applications determined within this year, the significant impact of resources within the team and the impact of new environmental considerations such as water quality in the rivers Wye and Usk. Regarding resources there was a high turnover of staff with attendant gaps between appointments. This affected the team that deals with planning applications where three DM officers and a senior DM officer left the team (one after a period of prolonged sickness, the other three via career changes) and the posts took time to be replaced due to recruitment issues. There were also staffing pressures on our consultees that has led to longer turnaround times for applications as responses take a lengthier time to be received. Other fair measures related to decisions taken by Members that were contrary to the officer recommendation (this, however, involved only one decision out of eighteen Member decisions so numbers are low and are not of immediate concern) as well as the decisions made in agreed time for listed building consents which slipped slightly to 72% due to gaps in staffing; in relation to the other fair measure, there an application for partial costs awarded against the authority (just one) where the Inspector found in favour of the appellant following a Member (Committee) decision to refuse an application for retirement apartments in Llanfoist and where there had been a lack of evidence to justify one of the reason for refusal - to be 'good' there must be no awards of costs.
- The two enforcement measures are in need of improvement. We are aware that this area needs attention and are working hard to improve this element of the service. Last year's performance has to be considered in the context of significant gaps in resources with one

member of the small team of three officers being missing for most of the reporting period due to sickness. In addition, two members of the team of three left for new job opportunities. The posts have all been filled in the final quarter of the reporting period and the team now has a full establishment for the first time in several months. Within the last quarter (July-September 2022) the percentage of enforcement cases investigated within 84 days was 74.3% which would result in an amber (fair) rating rather than the 21/22 red improve rating.

Further commentary on the performance against these measures is set out in Section 6 and Appendix A.

- 1.6 In the light of the above and having regard to our key work areas, four actions are proposed going forward:

*Action 1 – Digitise information in relation to historic planning files and woodland / tree preservation order work to help customers self-serve and reduce the significant demand on the Planning Service’s Tree Officer, the daily Duty Officer and Support staff.*

*Action 2 – Promote the positive aspects of new development to our citizens by publicising the contribution of essential community infrastructure provided under planning agreements attached to the planning permissions for new major developments.*

*Action 3 – Continue to review and make positive change to the Planning Service’s enforcement function and its processes to speed up our decision-making, ensuring we are providing a good service for our customers. Digitise the enforcement notice register to help customers self-serve.*

*Action 4 – To develop 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 5 – Conduct a review of the planning application process to consider how to improve the average time to determine planning applications performance indicator. The review would consist of reviewing the rationale for applications taking different time scales and it would consider any areas where the process could be amended to ensure best practice and to drive out waste thereby improving customer service.*

## 2.0 CONTEXT

- 2.1 This section sets out the planning context within which the Local Planning Authority operates, both corporately and in terms of Monmouthshire as a county, for the 2021-22 period.

### Corporate Context

- 2.2 The Council adopted its Local Development Plan in February 2014 and has submitted its eighth Annual Monitoring Report to Welsh Government in October 2022.
- 2.3 The purpose of the Planning Service is to help build sustainable and resilient communities that support the well-being of current and future generations in Monmouthshire, which is a shared purpose with the Council's public service board partners. This is at the heart of everything we do.  
We contribute to delivering the Council's well-being objectives, which align to the Public Service Boards objectives, as set out in the Corporate Plan 2017-2022, the specific objectives we contribute to are:

|                           |                                                                                                                                                                                        |
|---------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| MCC Purpose               | Building Sustainable and Resilient Communities                                                                                                                                         |
| MCC Well-being Objectives | The best possible start in life<br>Lifelong well-being<br>Maximise the potential of the natural and built environment<br>Thriving and well-connected county<br>Future-focussed Council |

- 2.4 The Planning Service's purpose links directly to Monmouthshire County Council's objective of building sustainable, resilient communities. The Planning Service sits within Communities and Place Directorate.
- 2.5 The Planning Service is made up of i) the Planning Policy and ii) the Development Management (DM) teams. The primary purpose of the Planning Policy team is to prepare and monitor the statutory Local Development Plan (LDP) and assist in its effective implementation through the Development Management (planning application) process. This ensures that the land use and sustainable development objectives of the Council are met ensuring the provision of an adequate supply of land in sustainable locations for housing, retail, education, recreation, tourism, transport, business, waste and other needs, whilst protecting the county's valued environmental, heritage and cultural assets. This work aligns directly with achieving four of the Council's Well-being objectives while being prepared to work innovatively aligns with the fifth objective regarding a Future-focussed Council.
- 2.6 The Monmouthshire Public Service Board Well-being Plan identifies a key issue as being the need to respond to demographic change, with the County having an increasingly ageing population. The Planning Service has an important part to play (alongside Housing colleagues) in readdressing the supply and mix of housing stock to ensure suitable and affordable housing is available to all demographic groups.

- 2.7 The Planning Service in its policy-making role and when making decisions on planning applications has a significant part in the Well-being goal that seeks to “Protect and enhance the resilience of our natural environment whilst mitigating and adapting to the impact of climate change”. The PSB Well-being Plan acknowledges this by i) identifying Planning’s (and its partners’) capacity to improve the resilience of ecosystems by working at a larger scale (landscape) to manage biodiversity and maximise benefits such as natural flood risk management; ii) ensuring design and planning policy supports strong, vibrant and healthy communities that are good for people and the environment, and iii) enabling renewable energy schemes, especially community owned schemes, and developing new solutions including storage, smart energy, heat and local supply.
- 2.8 The Planning Service’s Vision is “To enable through the land use planning policy framework the building of sustainable and resilient communities that support the well-being of current and future generations.”
- 2.9 In addition, the Development Management Service undertook a System Review between 2010-12 where its purpose was established as being: “To advise on, give permission for and ensure the best possible development” which complements the overall service vision.
- 2.10 Key areas of work for the 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.
  - Depending on the outcome of legislative changes at the UK Government level, adopting and implementing the Community Infrastructure Levy. Infrastructure needs will be reviewed and consideration will be given to the best options for funding them alongside LDP progress.
  - Working within our unified Planning Service (Policy and DM) focussed on enabling positive outcomes.
  - 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.
  - Developing linkages with the Council’s emerging framework for community governance and development
  - 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.
  - Preparing and submitting the Planning Services' Annual Performance Report (APR) to WG which assesses the effectiveness of the Monmouthshire's planning service and benchmarks it against other Councils' performance.
  - Supporting Monmouthshire's businesses and communities to recover and thrive following the Covid-19 pandemic and facilitating new and innovative ways of sustaining our high streets.
- 2.11 The main customer of the Planning Service is the applicant of any planning application, however there are numerous stakeholders including individuals, communities, businesses, third sector organisations, other Council Services and elected Members.

### **Local Context**

- 2.12 Located in South East Wales, Monmouthshire occupies a strategic position between the major centres in South Wales, the South West of England and the Midlands. The County shares a border with the neighbouring Local Planning Authorities of Newport, Torfaen and Brecon Beacons National Park (BBNP) in Wales and Gloucestershire, the Forest of Dean and Herefordshire in England, with Severn crossing links to South Gloucestershire. The County forms the gateway to South Wales and is part of the Cardiff Capital City Region. This location gives the County a distinctive identity.

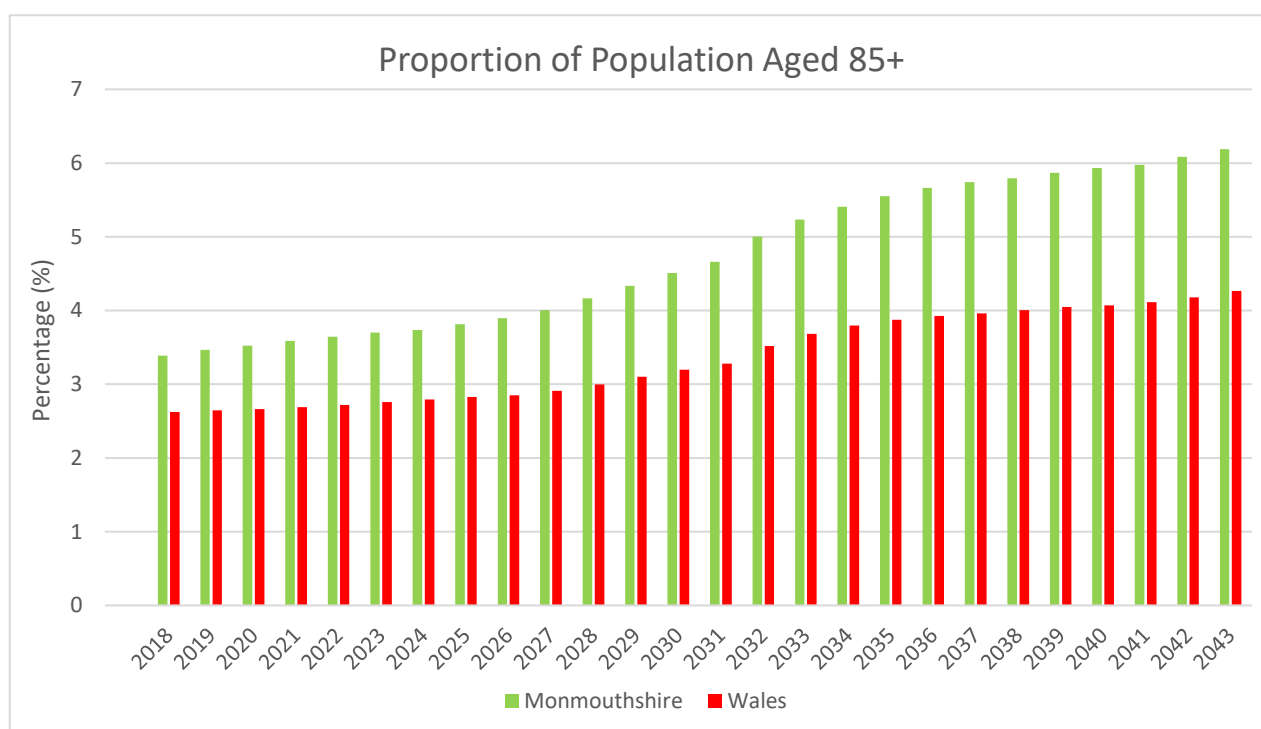
### **Our people**

- 2.13.1 Monmouthshire covers an area of approximately 88,000 hectares with a population of 93,000 in 2021<sup>1</sup>. At the time of the 2011 Census 7.9% of residents resided within the BBNP area of the County. According to the 2011 Census, the County had a low population density of 1.1 persons per hectare – significantly lower than the South East Wales average of 5.3 persons per hectare – reflecting the area's rural nature. At the time of the 2011 Census only 53% of the population lived in wards defined as being urban areas (i.e. with a population of more than 10,000).

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<sup>1</sup> Source: Census 2021 first release of results (28.06.2022). Please note figures are rounded to the nearest hundred.

2.13.2 Our population has been increasing steadily, up 7.6% between 2001 and 2011 compared with the Wales average of 5.5%. The increase from 2011 to 2021<sup>2</sup> represents a lower increase at 1.8%, however, this is marginally higher than the growth for Wales over the same period of 1.4%. This increase is wholly attributable to inward migration, with natural change showing negative growth. The County has a relatively high and increasing proportion of older age groups, and a lower and decreasing proportion of younger adults compared with the UK and Wales averages. The graph below illustrates the proportion of those aged 85+ in Monmouthshire in comparison to Wales, based upon the 2018-based local authority population projections for Wales, 2018 to 2043. It shows that the trend in the ageing demographic is likely to continue. The 2021<sup>3</sup> Census initial release suggests the proportion of those aged 85+ is 3.4% in Monmouthshire compared to 2.7% in Wales.



Source: Office for National Statistics, Stats Wales

2.13.3 This demographic change has significant implications for economic activity and demand for services to enable our citizens to continue to live independent lives.

2.13.4 The following diagram encapsulates the issues that the Council are seeking to address during the development of the Replacement Local Development Plan (RLDP) over the next few years (Please see revised delivery agreement):

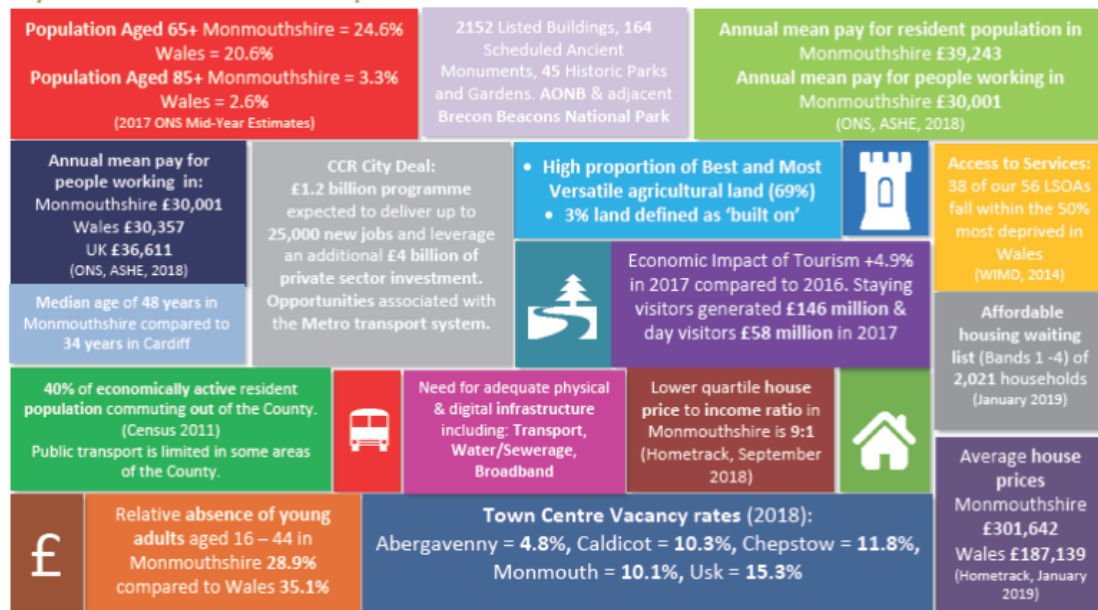
<sup>2</sup> Source: Census 2021 first release of results (28.06.2022). Please note figures are rounded to the nearest hundred.

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## Monmouthshire Replacement Local Development Plan – Issues, Vision and Objectives

### Key Issues to be addressed in the Replacement LDP



### 2.14 Housing and quality of life

#### 2.14.1 The County has three broad categories of settlement:

- The historic market towns of Abergavenny, Chepstow and Monmouth have developed over many years to have a wide range of opportunities for employment, shopping, community facilities and public transport;
- The newer settlements in Severnside of Caldicot/Portskewett, Magor/Undy, Rogiet and Sudbrook where recent high levels of residential growth have taken place without the local jobs and community facilities to match. The area benefits, however, from a strategic location at the 'Gateway' to Wales with good access to the employment markets of Newport, Cardiff and Bristol;  
The rural area, containing the small town of Usk, the larger villages of Raglan and Penperlleni, and a large number of smaller villages, widely dispersed around the County.

2.14.2 Over the last decade, housing completions in the Monmouthshire LPA area have averaged over 300 dwellings per annum, although there have been significant annual variations with 205 completions in 2014/15 and 443 in 2018/19. To deliver the LDP housing requirement, 488 completions per annum are required (2013-2021). To date, completions since LDP adoption have averaged over 300 per annum. This is discussed in more detail in the LDP Annual Monitoring Report although 361 dwelling completions (including 35 affordable homes) were recorded in 2021/2022.

2.14.3 Land Registry data indicates that average house prices in Monmouthshire have increased over the current monitoring period (2021-2022) with average prices in quarter 1 (January to March) 2022 standing at £334,148, significantly higher than the 2012 quarter 4 baseline price (£188,720).

Between 2006 (the time the Monmouthshire Unitary Development Plan was adopted) and March 2022, there have been 4,540 completions of which 903 were affordable, equating to 20% of all dwellings built. Since LDP adoption (2014) to March 2022 there have been 2,535 completions of which 530 were affordable, equating to 21% of all dwellings constructed.

- 2.14.4 Monmouthshire is generally a prosperous County offering a high quality of life for its residents. However, poor access to community facilities and declining local service provision is an issue for rural and ageing communities. The health of Monmouthshire's population is generally better than the Wales average, with greater life expectancies and higher proportion of residents classing themselves as being in good health (2011 Census). Fewer residents in the County suffer with a limiting long-term illness compared with Wales as a whole. The rate of reported crime in Monmouthshire tends to be lower than for Wales as a whole.

## 2.15 **Our economy**

- 2.15.1 The ONS Annual Population Survey suggests that the County has a high proportion of working age people in employment (77.7% January 2021 - December 2021) compared to neighbouring Authorities including Newport (72.7%), Cardiff (74.9%), Blaenau Gwent (71.1%) and Torfaen (70.3%). The equivalent figure for Wales is (73.1%). Our economy is reliant on the public sector and services for employment:

- In 2020, the Business Register and Employment Survey (BRES) records that the public administration, education and health sector accounts for 30.9% of jobs;
- The distribution, retail, hotels and restaurants sector accounts for 27.9% of jobs;
- Tourism, as part of the services sector, is also important in the County (see 2.16.3 below).

- 2.15.2 The County had 4,490 active enterprises in 2021, 10% of which were in the property and business services sector. The three sectors with the most businesses were Professional, scientific and technical services (17%); Agriculture, forestry and fishing (16%) and Construction (11%). Accommodation and food services accounted for 7%. The UK Business count dataset accessed via Nomis also suggests that 98.5% of the County's businesses are classified as small (i.e. up to 49 employees).

- 2.15.3 Tourism is vital to Monmouthshire's economy and generates income to support a wide range of businesses that benefit from spending by visitors. According to figures supplied by tourism economic indicator 2021 STEAM (Scarborough Tourism Economic Activity Monitor), the sector brought in £182.79 to Monmouthshire in 2021 and supported the equivalent of 2,336 full-time jobs. Each visitor contributing to the county's economy by purchasing food and drink, fuel, services and accommodation spends on average over £77 per day.

- 2.15.4 Monmouthshire's tourism performance over the life of the previous plan displayed an encouraging 10% real growth in terms of economic impact, an increase of 8.7% in visitor numbers and a 1.5% growth in full-time jobs. The approved Destination Management Plan has been developed following a review of the previous plan and is based on Monmouthshire's best prospects for tourism growth as well as extensive consultation with stakeholders. The Plan capitalises on key opportunities for Monmouthshire, including its location at the gateway to Wales offering an initial chance to make a great impression, especially now that the Severn Bridge tolls have been phased out.

2.15.5 The 2021 Welsh Government Commuting Statistics indicate that 61.2% of the County's working residents work in the area. This is an increase on previous years and suggests that there has been some progress in meeting the aspiration to increase the proportion of resident workforce working within Monmouthshire over the Plan period. However, the same data source suggests that Monmouthshire has a net outflow of 2,800 commuters – with 14,300 commuting into the Authority to work and 17,100 commuting out. There was significant in-commuting from Newport (3,000), Torfaen (1,900) and Blaenau Gwent (1,400), and from England (2,900). The main areas for out-commuting were Newport (2,600), Torfaen (2,400), Cardiff (1,600) with a further 4,600 going to Bristol. A relatively high proportion of Monmouthshire's residents travel long distances to work, with a high usage of the private car. Heavy reliance on the private car and limited opportunities for public transport is a particular issue in rural areas. These figures should be treated with caution, however, as the data is based on a small sample survey.

## 2.16 **Communications**

2.16.1 The County is easily accessible from the rest of Wales by the M4, A40, A449 and A4042 and from England by the M4 and M48 Severn Bridges and the A48, A40 and A465. The good road transport links connect the County to major population centres such as Cardiff, Newport and Bristol. Monmouthshire is served by a number of local and national bus routes, with main bus stations in the towns of Abergavenny, Chepstow and Monmouth. In terms of rail provision, Monmouthshire has four railway stations, at Caldicot, Chepstow and Severn Tunnel Junction in the south of the County and Abergavenny in the north. As part of the Cardiff Capital Region, Monmouthshire is set to benefit from the proposed South Wales Metro proposals. The local community in Magor Undy is at an advanced stage of campaigning for a new Magor Undy Walkway Station, close to the Community Hub building that has now received planning permission. A larger car park for the existing Severn Tunnel Junction station at Rogiet has also been granted planning permission. The removal of the toll charge on the Severn Bridge has already had a demonstrable impact on house prices and, anecdotally, on speed of sales.

2.16.2 Public rights of way include 1,499km of footpaths, 71km of bridleways, 84.5km of restricted byways and 1.5km of unrestricted byways. These public rights of way are complemented by permissive paths. The County has three long distance regional trails (Usk Valley, Wye Valley and Three Castles) as well as the national trail (Offa's Dyke Path). The County also provides the start of the all-Wales coastal path. There are two national cycle routes within Monmouthshire, both of which run from Chepstow. The countryside access opportunities available in the County are one of its key assets, sustaining tourism and providing opportunities for economic regeneration.

2.16.3 The rural nature of the County and high proportion of SMEs means broadband and mobile communication are both vital and challenging. The Council is part of the Superfast Cymru project rolling out BT broadband. Other local projects to roll out Broadband into less accessible rural areas are being explored.

## 2.17 **Our natural heritage**

- 2.17.1 The County is noted for its rural beauty and has a rich and diverse landscape stretching from the coastline of the Gwent Levels in the south of the County, to the uplands of the Brecon Beacons National Park in the north. In addition, there is the picturesque river corridor of the Wye Valley AONB in the east and the Blaenavon Industrial World Heritage Site to the north-west. The landscape and countryside of Monmouthshire contributes not only to the health and well-being of Monmouthshire's residents but also supports the important tourist economy.
- 2.17.2 Monmouthshire has significant biodiversity and nature conservation resources, a number of which are internationally or nationally recognised, including:
- The Severn Estuary Special Area for Conservation (SAC), Special Protection Area (SPA), Site of Special Scientific Interest (SSSI) and Ramsar Site (Wetland of international importance);
  - The River Wye, River Usk, Wye Valley woodlands and Wye Valley Special Areas of Conservation (bat sites);
  - 49 nationally designated Sites of Special Scientific Interest (SSSIs) – covering some 2,087 hectares. Most are woodland or grassland sites with others designated for their wetland or geological interest;
  - Two National Nature Reserves (Fiddler's Elbow (woodland) and Lady Park Wood) and one Local Nature Reserve at Cleddon Bog;
  - Approximately 650 non-statutory Sites of Importance for Nature Conservation (SINCs) predominantly in relation to grassland and ancient and semi-natural woodland areas. The statutory sites cover 6,432 hectares, or 7.6% of the LPA area; 3,664 hectares of which comprises the Severn Estuary SPA.
- 2.17.3 Other key challenges facing the Planning Service include areas at risk of flooding (including most of the Gwent Levels and the flood plains of the Rivers Usk and Wye and their tributaries). There are, however, flood defences within the towns of Chepstow, Monmouth and Usk.

## **2.18 Our built heritage**

- 2.18.1 The Monmouthshire LPA area has a rich built heritage and historic environment which includes:
- Approximately 2,400 Listed Buildings, of which 2% are Grade I, 10% are Grade II\* and 88% are Grade II. Of note, around 176 Listed Buildings have been identified as being at risk.
  - 31 Conservation Areas – designated for their special historic or architectural interest, covering some 1,648 hectares in total;
  - 45 Historic Parks and Gardens – identified as having a Special Historic Interest, covering 1,910 hectares;
  - 3 Landscapes of Outstanding Historic Interest identified by Cadw (parts of Blaenavon, the Gwent Levels and the Lower Wye Valley);
  - 164 Scheduled Ancient Monuments.
- 2.19.1 The current LDP has been heavily reliant on greenfield sites to deliver its development needs due to a lack of brownfield sites. Air quality in Monmouthshire generally meets current standards, although there are two Air Quality Management Areas (AQMA) within the County, where objective levels of nitrogen dioxide may be exceeded. These are at

Bridge Street in Usk and Hardwick Hill/Mount Pleasant in Chepstow. The Monmouthshire Contaminated Land Inspection Strategy has not identified any sites as being contaminated.

### 3.0 PLANNING SERVICE

#### Organisational setting

- 3.1 During the reporting period, the Planning Service underwent significant changes, primarily in the Applications, Heritage and Enforcement Teams.
- As regards the Applications Team, three Development Management Officers (one of whom was part-time) left the team, one colleague following a prolonged period of sickness, one to pursue a different career and the other following a promotion to another planning authority in S-E Wales. Unsurprisingly, this left significant gaps in staffing, diverted more work onto remaining staff and managers and led to a downturn in end-to-end performance across all types of applications, not just householder and minor applications. As a response, a new temporary DMO post and a trainee planner post were created and successful candidates were appointed in October 2021 to address the build-up of work. Those two temporary officers have now been appointed to full time DM Officer roles following interview for the permanent (and vacant) posts. The other DMO post was taken up by the Council's former Enforcement Monitoring Officer so that all the Applications Team posts were filled towards the end of the 2021/22 reporting period.
- A Senior DM Officer also left in December 2021 having been appointed to a team leader post with a neighbouring planning authority and their post was filled in February 2022, also leading to some interim pressures on remaining colleagues.

In Heritage there was a minor re-structure following the decision to suspend collaboration work with Torfaen Council (this was partly owing to resource pressures and partly due to the lack of ability to retain the Senior Heritage Officer post funded by Torfaen). A post for a (more junior) Heritage Officer was then advertised twice but failed to attract a suitable candidate. Following job evaluation, a decision was agreed to re-purpose the empty post as a senior heritage officer's role which would address the scope of on-going heritage application work in the County as well as seeking to make tangible progress with the Buildings at Risk Strategy that has been an unaddressed action within previous APRs and is a commitment in the current Service Business Plan. This senior post has now been filled in the next reporting period (2022/23). The Planning Service's long-serving part-time Tree Officer retired in December 2021 and was replaced in March 2022 by an experienced arboricultural officer also working as 0.6 FTE like their predecessor.

In Enforcement, an Enforcement Officer left the team in December 2021 following appointment to a more senior role in a nearby authority. This post was filled in March 2022. Prior to this, as noted above, the Team's Monitoring Officer left that role following successful appointment as a DM Officer within the Applications Team in September 2021. The Monitoring Officer post was then filled in January 2022. Owing to these gaps in appointments, significant pressure was experienced by the remaining team members and performance unsurprisingly dropped off. Improvements are anticipated in the next reporting period now that the team is fully staffed.

In the Planning Support Team, a Planning Support Officer left in March 2021 to pursue a career with a private company that provides back office and public access software for local

government services. The post was successfully replaced and the new appointee started in May 2021.

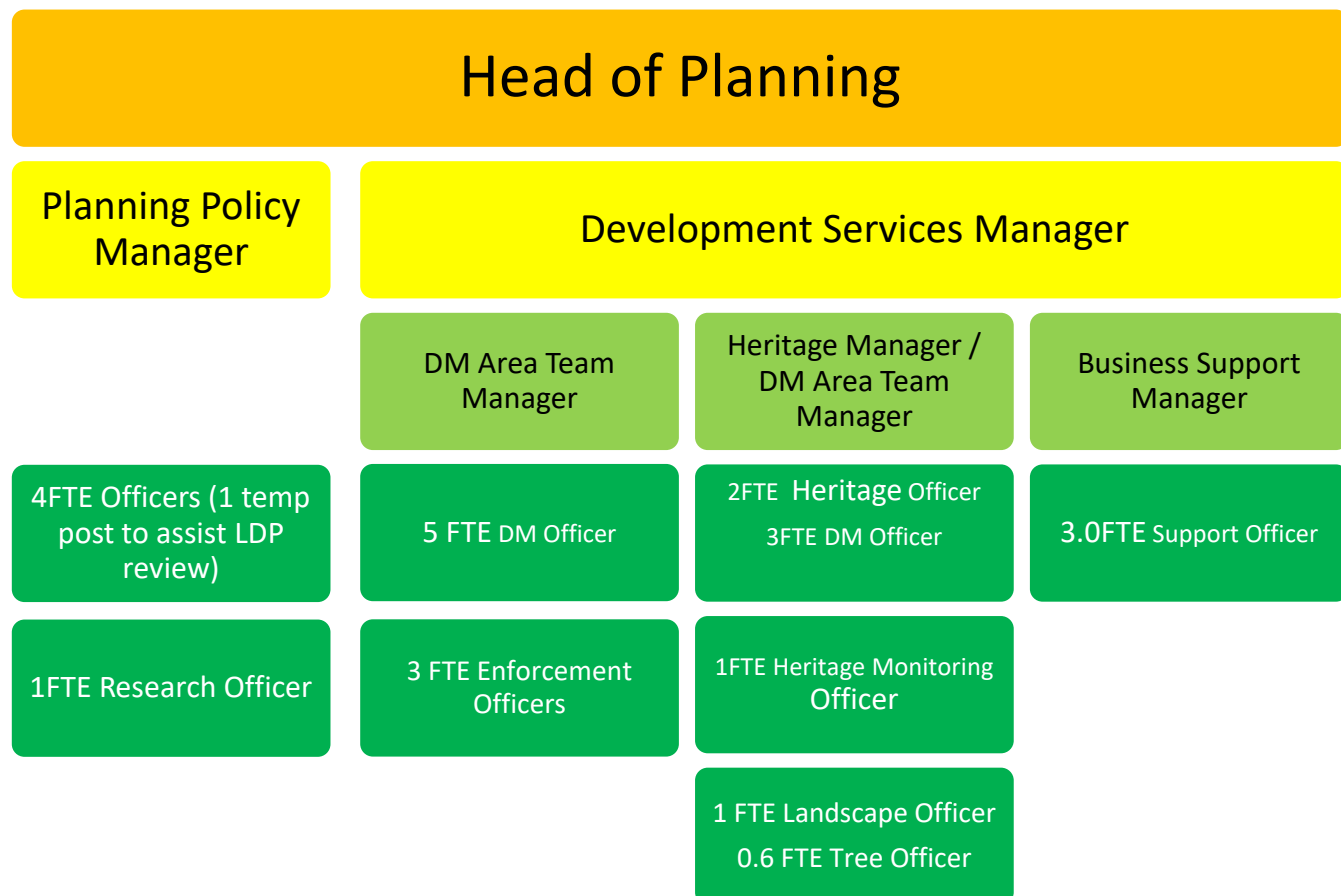
One Senior DMO post has been left vacant as we have taken stock of the downturn in major and more complex applications as a result of the life cycle of the LDP and prior to that the impact of the pandemic. This saving has been used to achieve some of the posts in the Applications Team and the Heritage Team, referred to above.

There were no staff changes in the Planning Policy Team over this period.

#### Department structure and reporting lines for the 2021-22 reporting period



### 3.2 Planning Service staffing structure for the 2021-22 reporting period



#### Links with other Council projects

3.3 There are several wider corporate activities that impact upon the Planning Service, or that the Planning Service supports and/or shapes:

##### 3.3.1 Budget management

Local Government budgets have been significantly reduced over recent years, and the Planning Service has had to make savings in the same way as all other unprotected services. This has comprised a combination of reduced expenditure, increased income budget lines, and reduced staffing costs.

Over 2021/22 the Service's budget held up well despite the impact of the lifecycle of the LDP whereby the larger housing sites have almost all been approved permission leading to fewer substantial application fees, as well as the impact of the phosphate pollution issue which has stifled development opportunities in the central and northern parts of the County over the reporting period. In DM, there was an underspend of £48k which was partly due to



healthy planning application fee income (approximately £545k) that bucked expectations that had forecasted lower income as a result of the impact of the late stage of the lifecycle of the LDP and phosphate implications.

The Policy team underspent by £167k, but the majority of this is the rolled-over reserve to fund the replacement LDP which will be used over ensuing years during the replacement plan process.

### 3.3.2 Service improvement/ Systems Thinking

The Council has reviewed a number of its services via a Systems Thinking approach. The review seeks to strip the service back to basic principles: who is the customer, and what is important to them? As far as is possible (for example taking into account legislative requirements), activities that do not add value to the customer are removed.

In terms of the Planning Service, this has resulted in a high performing, outcome-focussed service. Officers are empowered to make decisions and take responsibility for their caseload from start to end. The outcome focus means that our emphasis is on securing a positive outcome where possible, rather than a focus on arbitrary performance targets. Performance against end-to-end times is monitored via monthly team meetings, however this monitoring is in the context that decision speed is only a small part of the wider picture, and is not always important to our customers.

The team applied this approach when implementing the roll out of a new planning application processing data base system that went live in March/ April 2018. This ensured disruption when changing over to the new system was minimised. It has also been used as method to seek ways of improving the service's web pages to improve the customer experience when accessing planning-related information online.

As outlined in the actions it is considered prudent to conduct a review of the average time to determine application in a system thinking approach in the coming year to seek to improve this performance indicator.

### 3.3.3 Development Team approach

A fee-paying pre-application advice service was introduced in late 2013 which has been well received by customers and is now well-established. This service includes offering a Development Team approach, which seeks to provide an integrated, round-table multi-disciplinary approach to pre-application enquiries. This has helped build positive relationships with other service areas and help all parties to understand each other's objectives and priorities, leading to better outcomes. We also ask applicants if they wish the local ward member to be involved in pre-application discussions on major planning applications to improve communication and to promote transparency.

During this reporting period, we closed 368 applications seeking pre-application advice. 141 planning applications stemmed from the pre-application advice we gave. Of those that have been determined four were refused (2.8%) and four were withdrawn (2.8%) due to a change in the applicants' circumstances; the remainder were approved (94%). All four that were refused had not followed the advice we gave at pre-application stage. Consequently, we

have a 100% success rate of applications that went to decision stage and followed our pre-application advice.

#### 3.3.4 Best practice benchmarking

We are involved in various regional and all-Wales working groups, which provide an important forum for identifying, learning from and sharing best practice, while recognising Monmouthshire's uniqueness. These groups include:

- Planning Officers' Society for Wales (POSW) (meeting of all Chief Planning Officers from Welsh LPAs; POSW is involved in benchmarking work among all Welsh local planning authorities undertaken for WG by the Planning Advisory Service (PAS) to understand the costs of running a planning service more accurately and comparably than CIPFA data;
- South East Wales branch of POSW (POS-SEW);
- South East Wales Strategic Planning Group (SEWSPG) (meeting of planning policy lead officers from the ten SE Wales LPAs and the Brecon Beacons National Park together with WG representatives, HBF, NRW and Welsh Water). Monmouthshire and Newport Councils jointly chaired this group during this reporting period, with Monmouthshire becoming the Chair Authority in January 2017;
- South East Wales Heritage Forum. Monmouthshire's Heritage Manager chaired this group during the previous reporting period;
- South Wales Enforcement Forum;
- South Wales Development Management Group (meeting of the South Wales Development Management lead officers – N.B. this will become a Pan-Wales group in 2022/23);
- SACs/ phosphate pollution Welsh planning authority group – a group of officers from LPAs impacted by the current SAC riverine phosphate pollution issue that seeks to problem-solve and learn from best practice among and outside the group to find solutions to unlock development.

An informal group of DM officers and managers from the former Gwent Local Planning Authorities also meets occasionally to share best practice and procedures in the light of new regulations coming into force. The objective is to discuss consistency on a more manageable basis, and feed learning back to all LPAs in Wales.

In addition, we hold bi-monthly liaison meetings between the Planning Policy and Development Management teams to disseminate policy changes at national and strategic levels, to understand corporate strategies, to aid interpretation and implementation of the adopted Local Development Plan, and to review implementation of the LDP to help inform and shape the replacement LDP. This has provided a valuable forum to ensure a cohesive and consistent planning service is provided.

#### 3.3.5 Asset Management

In response to budget pressures, in addition to a wider desire to use our assets responsibly, the Council is undergoing a process of reviewing its estates portfolio and where appropriate, disposing of those assets. The planning service plays a key role in enabling best use of/return from those assets. As an example, planning permission has been granted for a solar farm on one of our own County farms near Crick. The revenue from energy generation

can be reinvested into providing valuable services to our citizens. The Corporate Business Plan includes a commitment to deliver a second solar farm.

The Local Development Plan includes four Council-owned sites as strategic (primarily housing) allocations. These have been granted planning permission except for the second phase of Rockfield Farm, Undy (the subject of a current reserved matters submission for phase 2) and the housing allocation at Raglan that is also subject to a current application but is impacted by phosphate pollution relating to the riverine SACs.

### 3.3.6 Well-Being Plan

There are four well-being objectives forming part of the Monmouthshire Well-Being Plan, two relating to people and two relating to place:

People/Citizens:

- Provide children and young people with the best possible start in life
- Respond to the challenges associated with demographic change

Place/Communities:

- Protect and enhance the resilience of our natural environment whilst mitigating and adapting to the impact of climate change.
- Develop opportunities for communities and businesses to be part of an economically thriving and well-connected county.

In tandem with the Well-Being Act and the Well-being Plan the Council's Planning Service is committed to securing sustainable development in the public interest for the good of the County's citizens and its environment.

### 3.3.7 Local Transport Plan and Active Travel

We contributed towards the Council's Local Transport Plan in a previous reporting period and will continue to work with colleagues to help enable delivery of the identified priorities and compliance with the Active Travel Act, whether this be via LDP allocations, planning application decisions or securing planning contributions. During this reporting period we have been involved in negotiating pedestrian and cycle links for a new cycle route in the Usk area.

### 3.3.8 IT improvements and 'channel shift'

The Council has a shared IT resource with Newport, Torfaen and Blaenau Gwent Councils, and through this has implemented a new planning back-office system. Collaboration on reporting functions and training has been undertaken with Torfaen Council. Setting up the new system has been very resource intensive but the system went live in April 2018.

The Planning Service is a key frontline service in terms of visibility and customer access. We have already introduced agile working and electronic document management, which have served us well having regard to the impact of the Covid pandemic and the necessity it has created to work from home for the vast majority of time. Work has been undertaken to improve our website to improve the ability of customers and stakeholders to self-serve

where possible, as well as to comply with the Welsh Language Measures, although more work is needed to improve the customer offer in this area.

In recent years we have improved the layout and content of the DM service's web pages to allow customers to self-serve more easily. We have also moved towards a paperless office, resulting in printing and postage savings. Going forward we would like to scan old microfiche records so that these are also available via our website, however this is prohibitively expensive at present. We also introduced a Report It function on the web site so that the public could report possible breaches of planning control for the planning enforcement team to investigate.

### Operating budget

- 3.4 The operating budget for the service is shown below together with the changes from last year:

|                | Costs      | Income                | Net Cost   | Change           |
|----------------|------------|-----------------------|------------|------------------|
| <b>2013-14</b> | £1,648,800 | £601,200              | £1,047,600 |                  |
| <b>2014-15</b> | £1,397,400 | £614,900              | £782,500   | -£265,100 (-25%) |
| <b>2015-16</b> | £1,360,500 | £669,900              | £690,600   | -£91,900 (-12%)  |
| <b>2016-17</b> | £1,363,600 | £572,000              | £791,600   | +£101,000 (+15%) |
| <b>2017-18</b> | £1,292,600 | £430,100              | £862,500   | +£70,900 (+9%)   |
| <b>2018-19</b> | £1,426,500 | £653,600              | £772,900   | -£89,600 (-10%)  |
| <b>2019-20</b> | £1,535,022 | £669,300              | £865,722   | +£92,822 (+12%)  |
| <b>2020-21</b> | £1,610,000 | £778,300 <sup>#</sup> | £831,700   | -£34,022 (-4%)   |
| <b>2021-22</b> | £1,447,590 | £636,890              | £810,700   | -£21,000 (-2.5%) |

The figures exclude Planning Policy's budget for Professional fees which is rolled forward each year for LDP review work.

<sup>#</sup> This amount included a grant from WG for £234,800 to offset loss of fee income due to the pandemic

- 3.5 The two main costs for the service are staff costs and the LDP budget (money is transferred from the above budget to sit in an LDP reserve, built up to fund the next LDP). Income is generated by planning application fees and charges for our pre-application advice service (the latter amounted to approximately £44,500 over 2021/22, similar to the previous year) as well as the Planning Service's newer discretionary services that are discussed below.
- 3.6 Planning application income (£544,700) was higher than 2020/21 but less than in most of the previous reporting periods. Although the number of planning applications received remained broadly comparable to recent years (see the table at par. 4.2 below) the income from major planning applications broadly fell compared to previous reporting periods, although the fee income was boosted by one major application for the new comprehensive school at Abergavenny (£120k). This has inevitably been the result of the impact of the riverine phosphate constraint in settlements like Abergavenny and Monmouth (this is discussed in later sections of this Report) as well as the late stage of the lifecycle of the LDP. Fee projection work means there is likely to be substantially less application activity on housing sites over 2022/23. This is chiefly due to the lifecycle of the current LDP which is at the end of the plan period and is now under review. Delays to the review stages of the new

plan will mean there will be no new larger housing sites coming forward until post Deposit/ Examination stage, probably in 2024 at the earliest. Agreement to stop increasing the application fees each year by inflation was agreed by the Council given that the authority does not set the fees (they are set periodically by Welsh Government), they do not rise by inflation each year and fee income is dependent on economic activity which is also out of the Council's hands.

- 3.7 Research by the Welsh Government identifies that application fees recover approximately 60% of the cost of dealing with planning applications, although work is currently being undertaken by work commissioned by WG and endorsed by POSW to provide a more accurate picture of cost recovery across all Welsh planning authorities. Additional costs are incurred through the work involved in the statutory Development Plan, and via other services such as enforcement and heritage management. Increased planning application fee income is used to reduce the net cost of the service to the Council. In-year windfall extra income is used to balance the Council's budgets and offset overspend in other services. Conversely as has been the case during recent years, underspend in other services was used to offset DM's under-recovery of income, when economic and other circumstances resulted in a sudden drop in fee income. Application fee income has fluctuated significantly over recent years, and this poses a challenge for budget management going forward. Fee income is heavily influenced by the wider economy, for example house-building (which itself is affected by mortgage lending and development viability) and other funding streams (for example the feed-in tariff for renewable energy schemes).

|                            | 2014-15 | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | 2020-21 | 2021-22 | 2022-23 |
|----------------------------|---------|---------|---------|---------|---------|---------|---------|---------|---------|
| <b>Budgeted fee income</b> | £525k   | £633k   | £668k   | £684k   | £681k   | £693k   | £589k   | £480k   | £480k   |
| <b>Actual income</b>       | £584k   | £664k   | £560k   | £430k   | £653k   | £666k   | £494k*  | £651k   |         |

N.B. Fee income includes planning application fees, pre-application income and the discretionary fees for fast track applications. The 2019/20, 2020/21, 2021/22 figure also includes payment from Torfaen Council towards funding the joint Heritage Service.

\*This reduced level of income was then offset by a grant from WG due to the pandemic

### Staff resources

- 3.8 Staffing levels for the reporting period are shown in the chart at paragraph 3.2 above. Key changes over 2021/22 saw significant turnover of staff within the DM Team with three DM officers moving on either because of retirement or to pursue career opportunities with other organisations. In addition, a Senior DM Officer left in December 2021 as a result of a career progression with another planning authority in the region. The Enforcement Monitoring Officer changed roles in September 2021 to become one of the DM Officers. Two other DM officers were appointed from temporary trainee posts and the vacant Senior DMO post was replaced in February 2022, while a member of the Planning Support Team also left in Spring 2021 and was replaced in May 2021.

In the Heritage Team, there was a re-structure and a post for a (more junior) Heritage Officer which could not be filled was amended to a senior heritage officer's role following

job evaluation to address the scope of on-going heritage application work in the County, as well as seeking to make substantive progress with the Buildings at Risk Strategy that has been an unaddressed action within previous APRs. This senior post has now been filled in the next reporting period (2022/23). The Planning Service's long-serving part-time Tree Officer retired in December 2021 and was replaced in March 2022 by an experienced arboricultural officer also working as 0.6 FTE.

In Enforcement, an Enforcement Officer left the team in December 2021 following appointment to a more senior enforcement role in a nearby authority. This post was filled in March 2022. Prior to this, as noted above, the Team's Monitoring Officer left that role following successful appointment as a DM Officer within the Applications Team in September 2021. The Monitoring Officer post was then filled in January 2022. Owing to these gaps in appointments, significant pressure was experienced by the remaining team members and performance unsurprisingly dropped off. Improvements are anticipated in the next reporting period now that the team is fully staffed.

- 3.9 For the reporting period, sickness levels were relatively low, although one member of the Applications team was absent for a lengthy period following a family bereavement. The pandemic did have an impact on the capacity of officers in previous reporting periods and certainly over 2021/22 there have been notable pressures caused during the period between staff appointments – exacerbated by the relatively high turnover of staff during this period. Morale of team members had been impacted by the length of the pandemic and the sense of isolation home-working can have as well as the build-up of work as staff have left and their work has been passed onto remaining staff. It is fair to say that the recruitment of a new cohort of planners has revitalised the team, however, and has enabled the existing staff to get back on top of workloads. To tackle issues of performance and morale, managers put in place regular virtual (and now more face to face) meetings, welfare chats, counselling and a more structured approach to performance management.
- 3.10 Training and development opportunities for colleagues were almost exclusively virtual events organised by the Council itself or occasionally by the RTPi, including the Wales Planning Conference. Virtual events included a law update by FTB Chambers and the annual Welsh Enforcement Conference. In-house opportunities were provided via quarterly Development Management and Planning Policy Liaison Meetings. There is also an opportunity for DM officers to discuss individual cases and to gain advice from Countryside colleagues in relation to the phosphate constraint issue at casework management meetings held twice a week.

Five staff within DM have undertaken Institute of Leadership & Management (ILM) qualifications over the last three years, four having qualified and one is underway.

## 4.0 YOUR LOCAL STORY

### Workload

#### 4.1 Key projects during the reporting period included:

- The revised RLDP Preferred Strategy was subject to statutory public consultation and engagement for 8 weeks during July – August 2021. The Second Call for Candidate Sites commenced alongside the Preferred Strategy consultation. Approximately 450 responses were received to the Preferred Strategy consultation and approximately 150 candidate sites proposed for development were also submitted, together with 8 candidate sites for protection. Following this, the Team has been considering the consultation responses received, in particular the Welsh Government's Planning Division response which raised some significant concerns regarding the proposed level of growth and the Strategy's 'general conformity' with policies 1 and 33 of the Future Wales: The National Plan 2040. We are continuing to liaise with Welsh Government officials regarding these concerns and considering options for progressing the RLDP. A future report to Council in Autumn 2022 will present options for progressing the RLDP and will seek a Council decision on how to proceed.
- Over the reporting period there was continued remote working and use of virtual meetings stemming from changed ways of working in response to the Covid-19 pandemic. The work pattern has adapted from 100% of our staff working from home to a more hybrid arrangement with officers using collaboration space in County Hall to meet as a group on 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 and the operation of the Council's Delegation Panel has taken place virtually via Teams although in later months of 2021/22 officers and some Members returned to the office (to hold committee as a hybrid meeting).
- Continuing 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. A previous agreement with Torfaen CBC was terminated in December 2021 that had run for three years. The agreement ceased due to changes to the role of the MCC Heritage Manager (who took on wider responsibilities in managing a team of DM officers as well as the Heritage Team thereby reducing her time to carry out casework or to manage the relationship with TCBC) and also this was because there were funding gaps in securing a senior heritage officer's post which was vital to make the arrangement work.
- Towards the end of the previous reporting period as a planning authority we were then 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 have issued detailed planning guidance 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. There are no easy solutions and we continue to work with a wide range of agencies including WG, NRW, Welsh Water and other authorities to find sustainable solutions to this significant environmental problem.

- Delivering our bespoke pre-application advice service for potential applicants, as well as offering pre-purchase certificates and completion certificates.
- Successfully recruiting new staff in the roles of a Development Management Officer (three posts), a Senior DM Officer, an Enforcement Monitoring Officer, an Enforcement Officer and a Planning Support Officer.
- 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 major development at Vinegar Hill, one of the last remaining strategic housing sites in the LDP, a significant redevelopment of floor space (10,000sq.m) at the Magor Brewery, one of the County's biggest employers, to boost brewing production and a large extension at Llanarth Court Hospital to provide a specialist mental health unit.
- Working with a Building Preservation Trust to seek to secure the restoration of a Listed Building at Risk including a CPO.

4.2 Despite the slightly lower activity at the beginning of the pandemic, application caseload has recovered to reflect pre-pandemic levels of activity while the number of applications determined increased by almost 22% compared to the previous year as officer capacity recovered after the pandemic and as a result of the recruitment of new staff. The percentage of applications determined within agreed timescales, although above the 80% WG target, fell by 10% compared to 2020/21. This was because of the impact of gaps in staff resources, consultee replies taking longer to return (also due to staffing issues) as well as the phosphate pollution issue that led to protracted delays while drainage issues were assessed and as policy advice was developed by NRW. The proportion of approvals remained high at 97%. During 2021-22, 97% of applications were determined under delegated powers (Wales's average in 2018/19 was 93%).

|                              | <b>2013<br/>-14</b> | <b>2014<br/>-15</b> | <b>2015<br/>-16</b> | <b>2016<br/>-17</b> | <b>2017<br/>-18</b> | <b>2018<br/>-19</b> | <b>2019<br/>-20</b> | <b>2020<br/>-21</b> | <b>2021-<br/>22</b> |
|------------------------------|---------------------|---------------------|---------------------|---------------------|---------------------|---------------------|---------------------|---------------------|---------------------|
| <b>Applications received</b> | 983                 | 1173                | 1284                | 1117                | 1188                | 1126                | 1134                | 1126                | 1154                |



|                                             |     |      |      |      |      |      |      |     |      |
|---------------------------------------------|-----|------|------|------|------|------|------|-----|------|
| <b>Applications determined</b>              | 852 | 1053 | 1085 | 1087 | 1071 | 1101 | 1106 | 947 | 1152 |
| <b>% within 8 weeks or agreed timescale</b> | 70% | 76%  | 79%  | 90%  | 91%  | 88%  | 91%  | 91% | 81%  |
| <b>% applications approved</b>              | 93% | 95%  | 95%  | 96%  | 95%  | 95%  | 97%  | 97% | 97%  |

4.3 A key area of work over the last four to five years has been the development of new, bespoke services. The most popular of these has been the Fast Track services for householder applications, lawful development certificates (LDCs) (existing and proposed) and listed building consent. Unfortunately due to the Covid pandemic we had to suspend the Fast Track services as there was firstly a need to work at home and not visit sites during the lockdowns and secondly, there was a lack of officer capacity to deliver the shorter timescales associated with the Fast Track services due initially to the impact of the pandemic and then later because of pressures caused by vacancies in the Applications and Heritage Teams. We intend to reintroduce the Fast Track services over the next reporting period following a successful recruitment drive. A summary of the current system as well as other bespoke services we offer is set out below.

4.4.1 The Fast Track service accelerates the administration and processing of the application for a small additional charge (currently set at £85). The offer is that Fast track applications are determined within 28 days following the submission of a valid application. This decision period varies for fast track applications for a certificate of lawfulness (10 days) and applications for listed building consent (35 days). A valid application is defined as outlined within Welsh Government Circular 002/12. In the unlikely event of not being able to achieve this target or agree a short extension of time (no more than 5 working days) we will refund the fast track service fee.

4.4.2 The *pre-purchase certificate* is a discretionary service aimed at people looking to buy a property in Monmouthshire. The application would provide the applicant with i) a planning history search; ii) details of planning permissions; ii) listed building consents and iv) enforcement history relating to identified breaches of planning control (this would not relate to unsubstantiated complaints). This service would include a site visit and identify whether there are any breaches of planning control and whether or not any breaches would be enforceable. The certificate confirms that any approved development at the site, up to the point of the request, has been carried out in accordance with approved plans and that there is no breach of planning control at the site. The fee for this service is currently £256 and we aim to provide a written response within 28 days. This service looks at compliance with all types of planning permissions including listed building consent: it does not provide a substitute to lawful development certificates.

4.4.3 The other discretionary service we offer we provide is a *certificate of completion*. The certificate will indicate whether or not the planning permission and/or Listed Building Consent applied for has been carried out in accordance with the approved plans, and also it would confirm the status of all planning conditions and any approved amendments if applicable. The purpose of this service is to offer support to applicants, agents or any other interested party that the works are appropriate and acceptable once they have been built. If there is an issue of noncompliance

this will be brought to the applicant's attention and an opportunity provided for the breach of planning control to be rectified. The service includes a site inspection and desk based research and investigation. The fee for this service is £205 for each application number requiring a certificate and we will aim to provide a written response within 28 days. Where an application for listed building consent and a planning application were required for the same development, they will be treated as one application.

4.5 These discretionary services have been in place since 1st July 2017 (they were rolled out slowly and then gathered pace until the pandemic when lockdowns, restrictions and home-working meant the pressure on staff time needed a response; priorities were put on applications and pre-application advice so the fast track service was suspended). The below table outlines the take up of these services and the amount of income that the additional services have generated. **As stated above, owing to the impact of the pandemic on officer capacity, these discretionary services were suspended from March 2020 to enable officers to focus on the core service work of processing planning and related applications.** Once the backlog of applications eases (caused by reduced capacity during the pandemic and post pandemic period) we will seek to increase the uptake of these services with wider marketing.

| Type of service                              | Number of applications/enquiries complete 01/04/18 to 31/03/19                                                                                                                                              | Income generated*                                                                          | Number of applications/enquiries complete 01/04/2019 to 31/03/20 | Income generated* |
|----------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------|------------------------------------------------------------------|-------------------|
| Fast Track householder applications          | 47 (9 refunds due to a range of issues, but mainly because the number of objections led to the need for the application to be presented to the Council's Delegation Panel rather than be officer delegated) | £3230<br><br>(This figures excludes the refunded amount)                                   | 46                                                               | £3485             |
| Fast Track certificate of lawful development | Existing - 0<br>Proposed – 4                                                                                                                                                                                | £760                                                                                       | 1                                                                | £285              |
| Pre purchase certificates                    | 6                                                                                                                                                                                                           | £1080                                                                                      | 5                                                                | £1050             |
| Completion certificates                      | 2                                                                                                                                                                                                           | £240                                                                                       | 1                                                                | £250              |
| Fast Track listed building applications      | 13                                                                                                                                                                                                          | £1925<br>(Included 6 refunds as applications were too complex to be determined in 35 days) | 5                                                                | £1375             |

|       |  |         |  |        |
|-------|--|---------|--|--------|
|       |  |         |  |        |
| Total |  | £7, 235 |  | £6,778 |

\*Beyond the standard fee for a householder or other planning application

4.6 In relation to enforcement workload, significant changes to the performance indicator definition were made over recent years, changing what is measured as an enforcement case and the definition of when a case is 'resolved'. While 2018/19 saw a decline in performance against the revised WG measures, the appointment of a new manager in the Enforcement Team midway through 2018/19 saw an encouraging improvement in the team's performance following a fundamental review of its work practices. This intervention had enabled the measures to move from Poor to Fair. More recently, the team were significantly hampered throughout the current reporting period initially by the loss of a member of staff due to sickness and then by vacancies in two posts due to those officers leaving for new roles either within the wider DM team or in a neighbouring authority. Thus performance declined and is now regarded as in need of improvement against the relevant measures. On a more positive note the team is now fully staffed and we are confident that the performance against the two national measures will improve over the next reporting period. Action 3 for this priority area is therefore retained to seek sustainable improvement. The improvement within the enforcement team is already being realised from the now fully resourced team and improvements to internal processes. Within the last quarter (July -September 2022) the percentage of enforcement cases investigated within 84 days was 74.3% which would result in an amber (fair) rating rather than the 21/22 red improve rating.

### **Annual Monitoring Report**

4.7 The Council adopted its Local Development Plan in February 2014 and our seventh LDP Annual Monitoring Report (AMR) was submitted in October 2021 to cover the 2020-21 period. Previous AMRs identified that although good progress had been made in implementing many of the Plan's policies and that overall the strategy remained sound, a number of key housing provision policy targets were not being met which indicated that these policies were not functioning as intended. The continued lack of a 5 year housing land supply remained a matter of concern that needed to be addressed if the Plan's housing requirements are to be met. The third AMR recommended an early review of the LDP was necessary because of the housing land supply shortfall. A full review of the LDP commenced during 2017 which culminated with the publication of the Final Review Report in March 2018. The report concluded that the LDP should be revised and that this should take the form of a full revision procedure, i.e. a replacement LDP. It also concluded that the Monmouthshire LDP should be revised on an individual basis, rather than jointly with adjacent Local Planning Authorities. Work on this project is ongoing and is described in full in the latest AMR (2021/22).

4.8 As at March 2022, the status of the strategic sites is as follows (more detailed information is available in the Council's 2021-22 AMR):

#### **4.9.1 Deri Farm, Abergavenny (SAH1):**

Persimmon Homes submitted a full application (DC/2014/01360) for 250 residential units (201 market and 49 affordable dwellings) in November 2014. The progress of the application was slower than anticipated due to significant issues relating to site viability, particularly affordable housing

provision and the undergrounding of overhead power lines. However, these issues were subsequently resolved, the application was approved in the 2017/ 2018 monitoring period and 234 dwellings have been completed to date.

The housing trajectory prepared in consultation with the Housing Stakeholder Group shows that the site delivered 234 dwellings within the Plan period with all dwellings expected to be completed by the end of the next monitoring period.

#### **4.9.2 Crick Road, Portskewett (SAH2):**

In the 2018/19 monitoring period Monmouthshire County Council and Melin Homes submitted a joint outline application (DM/2018/00696) for 291 residential units (218 market and 73 affordable units), this was granted permission in March 2019. During the 2019/20 monitoring period a reserved matters application (DM/2019/01041) for 269 residential units was approved (201 market and 68 affordable units). This was below the target number of units for the site (285) in the LDP. The drop in density of the site was driven by changes to the proposed house types and by positive improvements to the design of the site. These improvements include Green Infrastructure that forms the north-south axis of the site, the ecological implications of a badger sett on the site which led to greater protected open space, whilst the highway requirements resulted in safer, more accessible links. Policy SAH2 allocates 1 hectare of B1, which has been replaced with a care home which will provide up to 32 beds on the area outlined for employment use. This was subject to a separate planning application, DM/2019/01629, which was granted permission on 26 February 2020. The acceptance of this loss has previously been justified in relation to the outline permission which was approved in an earlier monitoring period. Whilst not strictly B1 employment a care home represents a form of employment and would result in job creation on the site.

The housing trajectory prepared in consultation with the Housing Stakeholder Group shows that the site has not delivered any dwellings within the Plan period. The first completions on site are expected in 2023/24.

#### **4.9.3 Fairfield Mabey, Chepstow (SAH3):**

The landowner submitted an outline application (DC/2014/01290) in October 2014 for up to 600 residential units (350 to be delivered within the Plan period), commercial space including offices and workshops (Use Class B1), small scale retail/food and drink floorspace (Use Classes A1 and A3) and multi-functional green and blue open space. Progress with the application was slower than anticipated due to various matters, including highways issues (Welsh Government Highways Division had a holding objection on the application for 18 months). However, the outstanding issues were then resolved and the site gained outline planning permission for 450 units (432 market and approximately 18 affordable units on 1.5 acres of the site) in November 2017. The outline application at the Fairfield Mabey site reduced the employment provision from 2.8ha to 0.65ha of B1 land. A Reserved Matters Application (DM/2019/00001) was approved during the 2019/20 monitoring period for 347 units. The application was for the market housing element of the site and did not include the land identified for affordable housing or employment land; the affordable housing element of the site (26 units) was the subject of a separate application for which Reserved Matters was permitted during the last monitoring period (DM/2019/01960(RM)). Work on the site began during the previous monitoring period with 106 completions during the Plan period.

The housing trajectory prepared in consultation with the Housing Stakeholder Group expects the site to deliver the remaining dwellings on the site by 2024/25.

#### **4.9.4 Wonastow Road, Monmouth (SAH4):**

Outline permission was granted for up to 370 dwellings and 6.5ha of employment land in December 2014. The site developers (Barratt/David Wilson and Taylor Wimpey) submitted a Reserved Matters application (DC/2015/00392) for 340 units (238 market and 102 affordable units) which was granted permission in November 2015. The site was completed during the last monitoring period.

The overall LDP site allocation is for a total of 450 units. The additional units relating to this allocation are to be delivered as an extension to the site at Drewen Farm. An application for this element of the site has not yet been submitted.

#### **4.9.5 Rockfield Farm, Undy (SAH5):**

This site is allocated for 270 residential units and 2ha of serviced land for business and industrial use in the adopted LDP. An outline planning application was submitted in July 2016 (DC/2016/00883) for 266 units and 5,575 sq. m of employment land (B1 use). For the purposes of the AMR, 265 units (198 market and 67 affordable units) are recorded as a net gain, the existing farmhouse has a residential use and is being demolished so has been taken off the overall figure. Progress with the site has been slower than anticipated due to various issues, including archaeology. These issues have, however, been resolved and the outline application was approved in March 2018. A Reserved Matters application (DM/2018/01606) was granted planning permission for phase 1 of the site in February 2019 for 144 residential units. The site is currently under construction with 106 dwellings completed to date.

The housing trajectory prepared in consultation with the Housing Stakeholder Group shows the site to have delivered 106 dwellings within the Plan period. The remaining dwellings for phase 1 of the site are expected to be completed by 2022/23. Phase 2 is expected to be completed by 2026/27.

#### **4.9.6 Land at Vinegar Hill, Undy (SAH6):**

This site for 225 residential units is linked to the adjacent Rockfield Farm site and was expected to progress in tandem. Whilst initial progress on the site has been slow, MCC successfully bid during the current monitoring period for CCR funding to support the delivery of the site. This will enable a fully planning policy compliant scheme to be delivered despite viability pressures which had resulted in the site not coming forward. A hybrid application has been submitted on this site (DM/2019/01937 – November 2019) for two parcels of land for up to 155 dwellings with associated open space and infrastructure. A full planning consent is being sought for 72 dwellings on parcel A with an outline planning consent being sought for parcel B with all matters reserved except for access. Whilst allocated for 225 dwellings in the Adopted LDP the site is only proposed to come forward for up to 155 dwellings as the landowner does not wish for a parcel of land to be brought forward. The site received planning permission subject to the signing of a S106 Agreement on 16 June 2022 so will be recorded as a permission during the next monitoring period.

The housing trajectory prepared in consultation with the Housing Stakeholder Group does not expect the site to deliver any dwellings within the Plan period. The first completions on site are expected in 2023/24.

#### **4.9.7 Former Paper Mill, Sudbrook (SAH7):**

A full planning application (DC/2015/01184) was submitted by Harrow Estates (Redrow confirmed as the developer) in October 2015 for 212 residential units (192 market and 20 affordable units). There had been a number of site viability issues associated with this application meaning that progress with the application has been slower than anticipated. However, these issues were subsequently resolved and the application was approved in the 2016/17 monitoring period (November 2016). Following a re-plan of part of the site the number of residential units on the site was decreased to 210. The site is currently under construction, with 165 dwellings completed during the Plan period.

The housing trajectory prepared in consultation with the Housing Stakeholder Group shows that the site delivered 165 dwellings within the Plan period. The remaining dwellings are expected to be completed by 2023/24.

4.10 The AMR highlights issues surrounding the delivery of affordable housing, and developers continue to raise viability issues on some of the strategic housing sites above. This is a Wales-wide issue. The Council's approach to viability debates has now been established, and the links between a project management approach to these applications with LDP delivery are understood.

4.11 In October 2015 the Council's Economy and Development Select Committee scrutinised the LDP's impact on enabling tourism-related development. As stated above, the tourism industry forms a key part of the County's economy and links directly to what makes Monmouthshire distinctive. This scrutiny identified a need to produce Supplementary Planning Guidance to clarify for customers and officers how the LDP supports different types of tourism development, and also identified a need for future revisions to the policy to allow greater flexibility for agricultural diversification for tourism purposes. The SPG was adopted in November 2017 and is now widely used by DM officers to consider proposals for sustainable rural tourism. The AMR shows that the clarity provided by the SPG has had a positive impact on tourism-related proposals coming forward and being approved.

### **Value of Planning**

4.13 RTPI Cymru has published a new 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, 2021/22. 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 £87.3M 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. We aim to update this for the

ensuing reporting periods. The 'Dashboard' data summarises the Planning Service's contribution below (this compared to £87.3M in 2020/21):

## Value of Planning in Monmouthshire 2021/22

### Planning service key data



29 FTE jobs in planning service

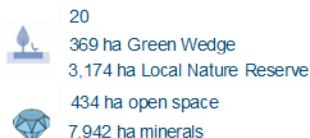


1,152 applications handled



£0.4m collected in fees

### LDP Land Safeguarded



### LDP Land Allocated



### LDP Value

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

### Applications

4 major  
1,147 minor  
0 other

0 DCOs dealt with  
1 DNS dealt with  
53 LBC applications granted  
10 refusals appealed  
0 judicial reviews

### Decisions

✓ 1,125 approvals (98%)  
x 27 refusals (2%)  
368 subject to pre app

**Refusals**

**Approvals**

### Permissions

**Residential**  
113 units  
£4.6m uplift value  
29% affordable

**Retail & leisure**  
2,730 m²  
£0.1m uplift value

**Tourism**  
120 bedspaces  
40 self catering units

### Permissions

Consistent with local plan  
Departures from local plan

**Commercial**  
6,790 m²  
£0.2m uplift value

**Renewables & other**  
0 MW  
0 tonnes waste  
0 tonnes minerals  
0 ha remediation  
2 ha formal open space

### Contributions

#### Section 106 income

£0.4m  
Breakdown

#### CIL income

£0 total value

### Completions

**Residential**  
419 units  
17% affordable  
£76.5m uplift value  
£0.5m council tax p.a

**Retail & leisure**  
650 m²  
£0.7m uplift value  
12 gross FTE jobs  
#N/A

**Commercial**  
7,450 m²  
£4.2m uplift value  
115 gross FTE jobs  
#N/A

**Renewables**  
0 MW  
£500 community benefit

**Tourism**  
25  
8 FTE jobs  
15 self catering units

### Enforcement

388 enforcement complaints  
6 planning contraventions  
5 enforcement notices  
11 breach of condition notices  
0 stop notices  
0 section 125 notices



### Wider indicators

£117,000 spend on consultancy fees

£0 health benefits of affordable housing provision p.a

8 internal consultees

£140,000 recreational benefits from open space created p.a

0 Energy statements  
0 EqlAs  
1 Environmental statements

2 Travel plans  
0 HIAs  
4 Transport assessments

In 2021/22 the total value of planning was

**£87.3m**

SOURCES: Planning function outputs (LPA survey), Land and property value data (JLL estimates), business rates valuations (Valuation Office Agency), employment densities (English Homes & Communities Agency), Council tax rates (Stats Wales), Health benefits from Affordable Housing (Department for Communities and Local Government Appraisal Guide, based on various studies outlined in appraisal databook), Community benefit from renewables (Renewables UK Cymru). Some of the calculations require high level assumptions to convert between units/m2/ha. Where possible, benchmarks have been employed otherwise reasonable assumptions have been used. Business rate, 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 any given application. 'Value adding policies' refers to the proportion of policies the team has identified as adding 'intangible 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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## Service Plan priorities for 2021-22

4.14 The Service Plan for the Planning Service identified the following priority actions:

- Work on the RLDP continued in accordance with the Delivery Agreement (second revision October 2020), and included:  
The RLDP Preferred Strategy was subject to statutory public consultation/engagement for an 8-week period (5<sup>th</sup> July- 31<sup>st</sup> August 2021). The ISA and HRA were also subject to public consultation/engagement.  
Engagement/consultation took place via:
  - Notifying all parties on the RLDP database of the consultation.
  - Attendance at Area Cluster meeting during August 2021.
  - A Members' Workshop in June 2021 (hosted by the Economy & Development Select Committee);
  - Scrutiny by Economy & Development Select Committee in July 2021.
  - Internal discussions within the Council through an officer workshop, Department Management Team and Senior Leadership Team.
  - Two virtual consultation events during July 2021.
  - Seven Drop-in Sessions throughout the County during July-August 2021.Continued regional working and joint working with neighbouring local planning authorities, as well as continued Member engagement on RLDP progress, including via Cabinet Member Briefings and RLDP all Member Workshops.
- Approximately 450 responses were received to the Preferred Strategy consultation. Welsh Government's response to the revised RLDP Preferred Strategy set out an objection regarding the Strategy's 'general conformity' with policies 1 and 33 of Future Wales the National Plan 2040. WG seek to prescribe a maximum growth level that is well below the level set out in the Preferred Strategy. This prescribed level of growth would fail to meet the local evidence-based key issues and objectives including affordable housing delivery, economic growth/prosperity and rebalancing our demography to ensure our communities are socially and economically sustainable. This intervention will also impact on timescales for the preparation of the RLDP. It also increases the likelihood of a legal challenge being brought when the Plan is adopted. The implications of the WG letter will be considered by the Economy and Development Select Committee and a future report to Council will present options for progressing the RLDP and will seek a Council decision on how to proceed.
- The Second Call for Candidate Sites commenced alongside the Preferred Strategy consultation. A range of guidance notes were prepared and published alongside the second call for sites, including tackling climate change, viability and housing mix. Approximately 150 candidate sites proposed for development have been submitted, together with 8 candidate sites for protection.
- Level 1 and Level 2 candidate site advice meetings continued to discuss potential candidate sites. 19 meetings were held during Q2, generating an income of £13,830.
- The Development Viability Model (DVM) was made available to candidate site promoters for a fee which covered the release of the DVM and a high-level review of the submission by Planning Policy Officers. The DVM is an appropriate tool for submitting required viability



assessments in support of the RLDP Second Call for Candidate Site submissions. A total of 63 DVMs were released to site promoters in Q2, generating an income of £38,856.

- Continued Member engagement on RLDP progress, including via Cabinet Member Briefings and RLDP all Member Workshop in relation to the updated Local Transport Plan.
- Provision of evidence of the County's housing land supply, retail data and employment land take up. This provides data to inform the LDP Annual Monitoring Report (AMR) and RLDP.
- Regular attendance to ensure that MCC's policies and interests are effectively represented at regional fora, including SEWSPG and Pathfinders. This includes participation in the SDP Task & Finish Group meetings.
- Upgrade the Idox Uniform planning application data base software system and public access module to ensure system resilience and better functionality for system users
- Implement elements of the Team's digital plan for the future of the whole team. A key element of this work involves the digitising of woodland and tree preservation order information to help customers self-serve and reduce the significant demand on the Planning Service's Tree Officer, the daily Duty Officer and Support staff; this is on-going with the Council's GIS Team and while some background work has taken place this has been hampered by resources; this is a substantial element of work and this will run into the next two reporting periods.
- Review the pre-application advice service to verify it is adding value, reducing waste and that it is valued by customers. This has been carried out although it is proving difficult to obtain customer feedback due to a lack of responses. Of the small proportion returned we understand that the general consensus is that the bespoke service is regarded as 'good' although it can be a little slow; it is regarded favourably compared to many other LPA's services. In terms of officer feedback, they consider that the Uniform Enterprise task works well to prompt them to carry out a task but that it can be challenging to get other internal departments to a meeting. The review has involved the introduction of an online form to enable customers to request pre-application advice. We also reviewed the charges to more accurately and fairly reflect the time taken to do the work. This has led to an increase in the fee for pre-application advice we charge at Level 2 which now better reflects the statutory service (even though the latter does not involve a meeting with the applicant). The charges were going to be increased from 3 August 2020 but this was delayed owing to the Covid-19 pandemic and were introduced when bespoke services were restarted in Spring 2021. We also introduced a small charge for non-starters which always involve some work but were previously returned without a charge.
- Prepare the 7th LDP Annual Monitoring Report (AMR) and Annual Performance Report (APR). These were sent to WG in October 2021 and published online.
- Continue the systematic improvement of the processes of the Planning Enforcement team. While significant improvement had been made, performance has declined and it remains an action in the current APR. Progress on this was inevitably affected by staff resource pressures, especially given that it is a small team.
- Cross-departmental working to ensure corporate plans and activities align with the LDP. This priority is on-going, although significant steps have been taken to improve cross-departmental working relationships, including work on s106 agreements, green infrastructure and the Cardiff Capital Region.
- Develop 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. This element

has been delayed due to staffing issues, but should be commenced during the next reporting period.

- Consolidate collaborative working arrangements with other agencies including neighbouring local authorities. This has led to joint working arrangements regarding the council's heritage service (with Torfaen Council) as well as joint working on the LDP review with Blaenau Gwent and Torfaen and for the employment evidence base there is a larger than local joint study on the Gwent footprint (including Newport and Caerphilly Councils). Managers also attend SEWSPEG and the DM regional managers' meeting to share good practice and discuss pending or recent changes in planning legislation.
- Re-commence Development Management service delivery back to standards prior to the pandemic by reinstating services which have been 'turned off' such as our fast track service, bespoke pre-application service and Planning Performance Agreements.
- Undertake a Design Tour with Planning Committee Members to assess the quality of Committee decisions and how they have translated on the ground in securing sustainable development and achieving placemaking and good design.

### **Local pressures**

4.15 Key local pressures include:

- Enabling delivery of the County's housing needs: bringing forward allocated LDP sites; site viability; achieving good planning decisions, creating sustainable communities and seeking to achieve a good level of housing growth having regard to strong demand;
- Managing the development plan and development management process having regard to the impact of riverine phosphate pollution that has affected development proposals in the central and northern parts of the County significantly;
- Ensuring full capacity of our staffing levels and to recruit promptly where vacancies arise;
- Securing timely consultation responses from consultees, both internal and external;
- The work associated with the replacement of the adopted LDP having regard to the challenging timetable for delivery;
- The need to help resource and deliver the Strategic Development Plan for SE Wales;
- Constant change caused by successive new legislation, national planning policy and procedures;
- The lack of income from major planning applications due to the gap between the implementation of the current LDP and the adoption of its successor with associated impacts on budgets to resource the service;
- Career and training support for staff in the light of limitations on budgets.

4.16 One of our key challenges is balancing our aim of creating quality places in a timely manner while ensuring schemes are viable and help deliver housing numbers. We are, however, clear that quality is more important than quantity. The introduction of a place-making emphasis in PPW is welcomed, as is its form that embraces the Well-Being of Future Generations Act.

### **Actions from our previous APR**

4.17 Our 2020/21 Annual Performance Report identified five actions:

Action 1 – Digitise information in relation to woodland / tree preservation order work to help customers self-serve and reduce the significant demand on the Planning Service’s Tree Officer, the daily Duty officer and Support staff.

Action 2 – Promote the positive aspects of new development to our citizens by publicising the contribution of essential community infrastructure provided under planning agreements attached to the planning permissions for new major developments.

Action 3 – Continue to review and make positive change to the Planning Service’s enforcement function and its processes to speed up our decision-making, ensuring we are providing a good service for our customers.

Action 4 – To develop 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 5 – Conduct a review of the planning application process to consider how to improve the average time to determine planning applications performance indicator. The review would consist of reviewing the rationale for applications taking different time scales and it would consider any areas where the process could be amended to ensure best practice to improve customer service.

- 4.18 Action 1 has been commenced but involves significant initial sifting of the current tree information and then survey work in reassessing older tree preservation orders to verify if they are still fit for purpose or need amending/ deleting. The survey information would then be digitised and made publicly available to help customers to self-serve, reducing demand on the Tree Officer, daily duty officer and support colleagues. This will involve additional resource and potential use of consultants. The project is likely to be protracted and carried out in phases due to time and cost. This will thus be retained as a priority action for the next reporting period (and likely beyond that).
- 4.19 Action 2, publicising the contribution of essential community infrastructure provided under planning agreements associated with major planning applications, has been largely completed but its launch was delayed by the 2022 local government elections and will be concluded in the next reporting period, subject to agreement from the new administration.
- 4.20 In respect of action 3, this was instigated following a downturn in the performance of the planning enforcement function in 2018/19 and has been an action for the last two APRs. Over 2019/20 there were substantial reductions in the time taken to investigate enforcement complaints due to measures instigated by the new manager of this team including providing more of a framework for meeting milestones in the enforcement process. During 2020/21 a team structure was agreed that essentially reflected the current structure, although there is now more emphasis on the (more junior) Enforcement Officer role prioritising enforcement cases rather than assisting with (enforcement related)

planning application work. Over 2021/22 there were serious gaps in staff resources due to initially illness and then vacancies within the team – two staff members left to pursue new roles, one within the wider DM team and the other via career progression with another S-E Wales planning authority. This inevitably had a significant impact on this small team's ability to turnaround cases and the key measurers for this team declined and are once again in need of improvement. There has been success in this reporting period to ensure the team is fully-resourced and the full establishment of three investigating officers and a manager have been in place since March 2022. There remains, however, scope for substantial improvement and this measure is retained for the next reporting period to monitor performance and verify whether the current resource is working effectively .

- 4.21 As regards Action 4, owing to reduced resource within the Heritage team (a senior officer left the team in December 2021 and there were changes to the management responsibilities of the MCC Heritage Manager which now entails significant additional management of officers dealing with planning applications) this action has been put on hold. The BAR is a significant but very important piece of work that will be commenced with the enhanced resource within the team (a new senior officer has started with the team in July 2022) in the next reporting period and will be retained as an action.
- 4.22 In respect of Action 5, carrying out a review of the planning application process to consider how to improve the average time to determine planning applications performance indicator, this is being conducted in September 2022 following a concerted recruitment programme. The previous reporting period was significantly disrupted by staff leaving (for various reasons) and there being gaps before new appointees started. The new team members needed to get established and used to our culture and method of working, as well as the becoming familiar with the area's geography and how local policy affects our work. It was considered that this review would be more appropriate in Autumn 2022 when our new resources had bedded in and we were in a better position to address the improvement to end-to-end times for applications. Thus, this item will be retained as an action.

## 5.0 Customer Feedback

5.1 The number of formal complaints and letters offering compliments are recorded. There were 18 complaints received over 2021/22, compared to 21 during 2020/21. Several of these complaints stemmed from concerns about lack of communication from case officers during the processing of planning applications and were resolved following intervention by line managers and subsequently improved dialogue with the applicant. There was also a willingness for applicants to become more tolerant once they understood the team's situation in respect of on-going vacancies and delays caused in waiting for consultation responses from key consultees. Other complaints related to a concern about lack of enforcement in respect of construction management at a large housing site and two other sites where enforcement action was not taken as quickly as the community had wanted or because it would not have been expedient to do so.

Planning is a contentious area dealing with access to land and changes to property values. It will always be the subject of complaint from third parties who are dissatisfied with a decision. This measure needs to be taken in context and the number of justified complaints is arguably a more pertinent measure. We do however aim to treat all customers with care and respect and to communicate clearly with the public so that they understand what the relevant planning issues are when we make decisions. There is always a degree of subjectivity so there will inevitably be disagreement about the weight given to the respective issues in the planning decision.

Notwithstanding the relatively high number of complaints, none of the twenty-one complaints were deemed to be justified. As far as enforcement of planning control is concerned, there is often a misunderstanding within the community about the scope for enforcement action by a planning authority or an appreciation of the length of time it takes to remedy a breach of planning control. The team, that was also hampered by reduced staffing levels over this period, will continue to engage with our communities to ensure there is improved dialogue and clearer understanding of both the justification for action or the speed it takes. This ties in with Action 3 of the Action Plan.

We received four recorded compliments over 2021/22.

|                                                             | 2013/<br>14 | 2014/<br>15 | 2015/<br>16 | 2016/<br>17 | 2017<br>/18 | 2018/<br>19 | 2019/20           | 2020/<br>21 | 2021/<br>22 |
|-------------------------------------------------------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------------|-------------|-------------|
| Number of Stage 1 formal complaints received                | 17          | 9           | 5           | 5           | 4           | 14          | 13                | 21          | 18          |
| Number of Stage 2 formal complaints investigations received | 11          | 5           | 2           | 2           | 1           | 4           | 2                 | 2           | 6           |
| Number of Stage 2 complaints                                | 4 partiall  | 3 partiall  | 0 upheld    | 0 upheld    | 0 uphe ld   | 3 partiall  | 2 elements of the | 2 partiall  | 0 upheld    |

|                                                           |                    |          |   |   |          |          |                             |          |   |
|-----------------------------------------------------------|--------------------|----------|---|---|----------|----------|-----------------------------|----------|---|
| upheld or partially upheld                                | y upheld           | y upheld |   |   |          | y upheld | complaints partially upheld | y upheld |   |
| Number of Ombudsman complaints upheld or partially upheld | 1 partially upheld | 0        | 0 | 0 | 1 upheld | 0        | 0                           | 0        | 0 |
| Number of compliments received                            | 3                  | 4        | 2 | 9 | 2        | 6        | 6                           | 4        | 4 |

5.2 Quality customer service continues to be a service and organisation priority so the momentum and desire to improve remain.

## **6.0 OUR PERFORMANCE 2021-22**

- 6.1 This section details our performance in 2021-22. It considers both the Planning Performance Framework indicators and other available data to help paint a comprehensive picture of performance. Where appropriate we make comparisons between our performance and the all-Wales picture, although the absence of data for 2019/20 – 2021/22 from WG means we have to compare performance to the Welsh average over 2018/19.
- 6.2 Performance is analysed across the five key aspects of planning service delivery as set out in the Planning Performance Framework:
- Plan making (this aspect is not covered in this APR as the information is more than adequately analysed in the latest LDP Annual Monitoring Report);
  - Efficiency;
  - Quality;
  - Engagement; and
  - Enforcement.

### **Plan making**

- 6.3 As at 31 March 2022, we were one of 23 Welsh local planning authorities (LPAs) that had a current development plan in place. We are proposing to submit an Annual Monitoring Report in October 2022. This document has been prepared and is being submitted to Welsh Government by 31<sup>st</sup> October 2022. Issues on the performance of the Plan are discussed in detail in that document and are not repeated here. The replacement of the Plan was commenced in 2018.

### **Efficiency**

- 6.4 In 2021/22 we determined 1152 planning applications, each taking, on average, 106 days to determine. This compares to 947 applications during 2020/21 being determined at an average of 92 days and compares to an average of 77 days (11 weeks) across Wales (2018/19) although this was before the Covid-19 pandemic and so to some extent is an unfair comparison. As such, we determined almost 22% more applications than the previous year but took almost 20% longer. In terms of analysis, the increased output is partially explained by existing staff increasing their productivity (albeit taking longer to make decisions) and also by the additional resource that was provided at a more junior level making an impact as more applications were determined and a backlog caused by vacancies and covid was being addressed. The end-to-end time to determine applications was also increased by the phosphate pollution factors that led to a temporary hiatus on determining applications while solutions were pursued.

Having said this, previous engagement with customers and stakeholders led the Council to make the evidence-based decision that the outcome of planning applications is far more important than the speed of decision-making. Within reason, customers would prefer to continue working with us to secure an acceptable scheme and obtain planning permission, with as few pre-commencement conditions as possible than simply have a decision made within an arbitrary 8 week deadline. The impact of planning decisions is long-lived and, while it is recognised that timely decisions can assist the economy, developers and investors also seek clarity and certainty and ultimately want planning permission. Our focus is therefore on the outcome, and we seek improvements in application turnaround times via actions to improve our pre-application advice service and the information on our web pages, as well as more focussed performance management of individual case officers in the DM team (see Action 5 of this Report).

- 6.5 81% of all planning applications were determined within the required timescales compared to 91% the year earlier. This compared to the Welsh average of 88% for 2018/19. We also determined 66% of Listed Building Consent applications within the required timescales compared to 88% during 2020/21 and compared to the Welsh average of 75% in 2018/19. The decline in performance can be directly attributed to the considerable disruption caused by vacancies across the Applications and Heritage teams which took several months to address and any improvement will not be realised until the next reporting period.

Over the same period:

- The number of applications we received was slightly higher than the previous year in that we received 1154, compared to 1126 applications in 2020/21, an increase of 2.5%;
- The number of applications we determined increased by 22% ( 1152 applications compared to 947);
- The number and percentage of applications we approved was the same as the previous year and remained high at 97%.

### **Major applications**

- 6.6 We determined just four major planning applications in 2021/22, compared to nine in the previous year, reflecting the late stage of the lifecycle of the LDP and the impact of phosphate pollution issues on development activity in the central and northern parts of the County. None of these were subject to an EIA. Each major application took, on average, 116 days (16.5 weeks) to determine which was appreciably lower than the 248 day average in 2020/21. The four applications included a hybrid (outline/ full application) for one of the last strategic housing sites allocated in the current LDP at Vinegar Hill, Undy, a significant employment scheme to enhance brewery capacity at the Magor Brewery and a redevelopment to provide a new mental health unit at Llanarth Court Hospital near Abergavenny.



- 6.7 All of these major applications were determined within the required timescales, compared to 68% across Wales in 2018/19. This measure is ranked as 'good'.
- 6.8 We have consistently performed above the Welsh average on this measure since 2014/15. Our particularly strong performance for major applications is due to a combination of an effective pre-application service, and a good working relationship with customers ensuring agreement to an extension of time. We are now rolling out planning performance agreements for major applications, where applicants can opt for milestones to be agreed in the processing of their application, based on best endeavours and prioritisation of these important applications.
- 6.9 Over the same period:
- The percentage of householder applications determined within the required timescales decreased from 89% to 72%;
  - The level of approvals remained stable at 97%.
- 6.10 This decline in the percentage of householder applications determined within agreed timescales has been due to a lack of resource among the more junior staff who deal with householder and minor applications. The lack of resource was due to staff being sick and also moving on to new jobs. This was addressed by recruiting three new DM officers who started with the team in Autumn 2021. There has been an improvement in performance since then with this measure rising in the early part of the next reporting period to 93% - Q1 of 2022/23.

## Quality

- 6.11 In 2021/22, our Planning Committee made eighteen planning application decisions during the year, which equated to almost 1.5% of all planning applications determined. Across Wales just over 6% of all planning application decisions were made by planning committee in 2018/19. Unlike most Authorities, Monmouthshire has a Delegation Panel system in operation whereby most applications (but not householder applications) with between 1 and 4 objections are reviewed by a group comprising the three lead Planning Committee Members. In 2021/22 twenty applications were considered by the Delegation Panel (1.7% of all decisions). This system works effectively in reducing the number of applications referred to Committee while ensuring interested parties are reassured that their concerns have been heard and carefully reviewed before a decision is made. It was possible to keep this process running during the pandemic by using remote meeting technology.
- 6.12 Of these Committee-made decisions, 5% (1 out of 18 decisions) went against officer advice. This compared to 8% of member-made decisions across Wales in 2018/19. This equated to 0.1% of all planning application decisions going against officer advice in

Monmouthshire (0.4% across Wales). The relatively low proportion of Committee overturns is testament to an effective Member-Officer working relationship, the added value of Planning Committee visiting most sites before making a decision, and an experienced Planning Committee provided with appropriate development training.

- 6.13 The one overturned application in question related to a proposed new build detached dwelling on an infill plot in Rogiet that was refused by Members on the basis it caused unacceptable overlooking of a neighbouring dwelling and garden and that it was a poor design that failed to contribute to placemaking. The decision was not appealed.
- 6.14 In 2021/22 we received twelve appeals against our planning decisions, which equated to 1.04 appeals for every 100 applications received. This was the third lowest ratio of appeals to applications in Wales (the last comparable period was 2018/19) indicating our willingness to negotiate proposals to a positive outcome and the strength of our policy framework.
- 6.15 Of the ten appeals that were *decided* during the year, seven were dismissed. These decisions show a continued improvement compared to the period before 2017 when performance on appeals dipped to below a 50% success rate. This may reflect the greater emphasis on place-making in appeal decision-making. The proportion of appeals we receive is very low. An appeal is essentially waste in our system as well as waste to the applicant. Our pre-application advice system has been useful in deterring the submission of applications that have little chance of success.
- 6.16 During 2021/22 we had one application for costs that related to a replacement of a dwelling on a suburban site in Llanfoist with an apartment block for retirees. This application had been recommended for approval by officers but was refused by Members at committee on the basis of poor design / placemaking, harm to local residential amenity and the Blaenavon World Heritage Site (WHS). The Inspector awarded partial costs against the Council on the grounds of lack of evidence to justify the WHS reason. Ironically, the appeal was later dismissed by the Planning Inspectorate due to the issue of phosphate pollution which did not emerge as a consideration until after the appeal was lodged.

## Engagement

6.17 We are:

- one of 24 LPAs that allowed members of the public to address the Planning Committee;
- one of 22 LPAs that have an officer on duty to provide advice to members of the public, and
- one of 21 LPAs that had an online register of planning applications.

## **Enforcement**

- 6.18 In 2021-22 we investigated 222 enforcement cases, which equated to 2.4 per 1,000 population. This was a relatively high figure in Wales compared to pre-pandemic levels (2018/19) and was an increase of 24% compared to the previous reporting period. We investigated 55% of these enforcement cases within 84 days compared to 72% in 2020/21 but this fall in performance was explained by the reduction in available staff in this small team over large parts of the reporting period, as has been set out previously. Across Wales 77% were investigated within 84 days in 2018/19 (pre-pandemic).
- 6.19 The average time taken to pursue positive enforcement action was 250 days, which was a decline in performance compared to the previous reporting period (199 days) and is similar to the performance in 2018/19 of 232 days. This decline was to be expected given the challenges presented to this small but dedicated team because of disruption caused by vacancies within the team for a considerable period. As this measure is ranked has declined from Fair to Poor we have retained this action for the next reporting period to seek improved performance (and to test that the resources we have put in place are fit for purpose).

## 7.0 FINDINGS AND CONCLUSIONS

7.1 Based on the performance information in Section 6 and Appendix A, 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 excellent at 100%, and was well above the Good target of 60%;
- The proportion of all applications determined within 8 weeks or agreed timescales remained reasonable at 81% despite the impact of gaps in our staff resource as colleagues left for new opportunities and time was taken to recruit replacements;
- 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;
- We 'won' seven out of ten appeals against our decisions to refuse planning permission;
- We again dealt with a large number of applications for listed building consent (61 applications) and 72% of these were determined within agreed timescales – this was despite having a reduced resource from January 2021 until the end of the reporting period;
- Enforcement performance declined but the remaining team members proved resilient in meeting demand despite the significant constraints of a temporary reduction in staff resource.

This shows that, despite a challenging workload, the effects of vacancies and issues such as phosphate pollution, our performance has been good and our pre-application advice service is effective.

7.2 A summary table of our performance can be found in Appendix A of the APR. Of the 12 ranked indicators, 6 are ranked 'Good', while 4 are 'Fair' and 2 are in 'need of improvement'.

- The 'fair' results relate to i) the average time taken to determine applications (106 days) which was well below the Good target of 67 days but must be seen in the context of the major staffing pressures within the service during the reporting period and cannot be fairly compared to pre-pandemic performance, ii) the percentage of listed building consent applications determined within time periods required (72% compared to 88% previously), also explained due to reduced staffing iii) decisions taken by Members that were contrary to the officer recommendation (there was only one decision so this has to be judged in that context) as well as iv) applications for costs at Section 78 appeal upheld in the reporting period which related to that aforementioned one case that was a Member decision contrary to officer advice, as outlined above.

|                                                                              | Number of indicators |
|------------------------------------------------------------------------------|----------------------|
| Welsh Government target has been set and our performance is 'good'           | 6                    |
| Welsh Government target has been set and our performance is 'fair'           | 4                    |
| Welsh Government target has been set and our performance 'needs improvement' | 2                    |

- We performed at or above the Wales average (2018/19) in 7 of the 12 comparable indicators. The indicators for which performance was below the Welsh average related to the percentage of all applications determined within time periods required, the average time taken to determine all applications in days, the percentage of listed building consent applications determined within time periods required, applications for costs at Section 78 appeal upheld and the two enforcement indicators – although it is arguably unfair to compare the performance in relation to these measures against pre-pandemic data for clear and obvious reasons. Further commentary on the performance against these measures is set out in Section 6.

### 7.3 Five actions are identified going forwards:

Action 1 – Digitise information in relation to woodland / tree preservation order work to help customers self-serve and reduce the significant demand on the Planning Service's Tree Officer, the daily Duty officer and Support staff.

Action 2 – Promote the positive aspects of new development to our citizens by publicising the contribution of essential community infrastructure provided under planning agreements attached to the planning permissions for new major developments.

Action 3 – Continue to review and make positive change to the Planning Service's enforcement function and its processes to speed up our decision-making, ensuring we are providing a good service for our customers. Digitise the enforcement notice register to help customers self-serve.

Action 4 – To develop 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 5 – Conduct a review of the planning application process to consider how to improve the average time to determine planning applications performance indicator. The review would consist of reviewing the rationale for applications taking different time scales and it would consider any areas where the process could be amended to ensure best practice to drive out waste and improve customer service.

### **Digitising paper information, improving the experience of customers and reducing demand on officer time**

- 7.4 We still hold substantial information on tree preservation orders in the County as scanned records on the Council's network but this is not publicly accessible. Retrieving such information is time-consuming and inefficient and the lack of accessible information for the public leads to a high volume of calls and enquiries to the Council's Tree Officer (who is part time, 0.6 FTE), the daily duty officer and also the Planning Support team. Digitising this information will reduce phone calls and emails to all those officers and will free up time to carry out work of greater value to the service and customers, such as processing submissions for pre-application advice and the applications themselves. The quality of the data also needs review (for example, some of the older TPOs need reviewing as the information will be out of date), although this may be carried out once the data is in a digitised format that is easier to manage and change and a phased approach may be appropriate given the scale of the work (Action 1).

***Action 1 – Digitise information in relation to woodland / tree preservation order work to help customers self-serve and reduce the significant demand on the Planning Service's Tree Officer, the daily Duty officer and Support staff.***

We also manage and secure a substantial amount of social infrastructure when approving major developments – this includes areas of public open space, education facilities, affordable housing, sustainable transport infrastructure, ecological improvements and green infrastructure. Much of this goes unnoticed and unheralded, with many of our local communities tending to focus on more negative aspects of new development such as increased traffic or the additional pressure on local services. To improve awareness of the positive aspects of new developments that are delivered to a community we intend to improve how we promote the community infrastructure each major proposal delivers. This could be via social media as well as more conventional methods such as the Council's web pages.

***Action 2 – Promote the positive aspects of new development to our citizens by publicising the contribution of essential community infrastructure provided under planning agreements attached to the planning permissions for new major developments.***

### **Speed of resolving enforcement cases**

- 7.5 The performance of the Council's Planning Enforcement team has declined in relation to the two enforcement measures in the Performance Framework over 2021/22. There is public perception that the service has and is poorly performing. While some of this is justified given the recent staffing pressures on the team, these issues are certainly not unique to Monmouthshire, and the problem is at

least in part due to a misunderstanding of the powers available to us and/or unrealistic expectations, a matter that had been addressed in some way by the training on enforcement in recent years for community and town councillors. As a result of the pandemic and then staffing pressures, unsurprisingly performance declined over 2020-22 and there remains scope for substantial improvement. The review of the Planning Enforcement function is ongoing and has already helped to improve this team's practices and drive out waste. The action below therefore is a spin-off from previous years. A fresh element is the need to digitise the enforcement register so that the information can be downloaded, reducing the need for paper copies or customers to travel to County Hall for a copy (Action 3).

***Action 3 – Continue to review and make positive change to the Planning Service's enforcement function and its processes to speed up our decision-making, ensuring we are providing a good service for our customers. Digitise the enforcement notice register to help customers self-serve.***

### **Buildings at Risk Strategy**

- 7.6 There are competing demands on the Heritage Team and many requests from the community are received to intervene to stop the decay of several prominent listed buildings throughout the County. Officer time and financial resources are limited in this regard, but an action plan agreed by Members would help to prioritise the cases that warrant priority working and action. To this end a Buildings at Risk Strategy and action plan is proposed to be developed to manage this process more effectively and to help the communities understand the choices we make when opting to take appropriate action to save and protect such assets. The strategy would put a methodology in place for drawing out the worst buildings and then set out appropriate actions as to how these are tackled; in all likelihood there would be actions identified to address the worst 5-10 buildings at risk so it is a more manageable and transparent process.

***Action 4 – To develop 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.***

### **Average time to determine planning applications**

- 7.7 The average time to determine planning applications has increased to 106 days within the 2021-22 period although this is, to some extent, understandable given the significant impact that firstly the pandemic (lockdowns and home schooling) and then staff shortages have had on the capacity of the team. These issues will not be unique to Monmouthshire's Planning Service. Whilst it is recognised that there is rationale behind this increase it is considered that there should be a review of the planning application process to ensure that there is a consistent approach across the team and that the system thinking principles that were adopted following the 2012-

system thinking review are still being fully implemented. Notwithstanding the impact of the staffing issues (now resolved and we are at full complement for 2022/23) it is considered that there remains scope for continued improvement. The review of planning applications is ongoing however this more detailed review will be conducted during the Autumn of 2022 when there is the capacity to critically appraise the process and ensure best practice is being implemented.

***Action 5 – Conduct a review of the planning application process to consider how to improve the average time to determine planning applications performance indicator. The review would consist of reviewing the rationale for applications taking different time scales and it would consider any areas where the process could be amended to ensure best practice to improve customer service.***

#### **Opportunities going forward:**

7.8 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:

- In tandem with our systems thinking approach, to use Team meetings and performance reports to drill down into specific areas of workflow and identify where problems exist and why, with a targeted approach to identifying solutions;
- Continue to roll out the project management of major planning applications, where appropriate, via planning performance agreements to seek by best endeavours to ensure timely and well-managed processing of such applications, providing a good customer experience for the customer;
- To digitise the Tree information held by the Council in scanned or paper form to improve the web site experience for customers and improve customers' pathways to information (Action 1);
- To promote the positive work of the Planning Service and colleagues in other Council teams in securing much needed community infrastructure when we approve major development. This could be promoted via this document, our web site and social media (potentially through use of infographics) allowing our local communities to understand the tangible benefits of allowing new development (Action 2);
- To improve the speed with which we deal with enforcement cases via the continued systems review of the Enforcement function and via analysis of individual team members' performance (Action 3);
- To digitise the Council's enforcement register as part of the digital improvement programme to help customers self-serve (Action 3);
- To develop a Buildings At Risk Strategy to safeguard some of our most precious but vulnerable heritage assets (Action 4);
- 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
- Promote the value of the work carried out by the Council's Planning Service by updating the Value of Planning toolkit on an annual basis and publicising the findings in each APR.
- To support our colleagues via regular reviews and one-to-ones who have had to work agilely because of the pandemic and the reduced capacity of our offices, to ensure their well-being and mental health are resilient and their productivity remains high.
- To respond to the threat resulting from the Covid-19 pandemic to ensure our County's businesses can bounce back from the pressures caused by lockdowns and other covid measures that restricted business activity.
- 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.

7.9 Progress will be measured via our 2022/23 Annual Performance Report, 2022/23 LDP Annual Monitoring Report, and our 2022 - 2025 Service Business Plan.

## ANNEX A - PERFORMANCE FRAMEWORK

### OVERVIEW

| MEASURE for 2021/22 APR                                                                          | GOOD    | FAIR      | IMPROVE |
|--------------------------------------------------------------------------------------------------|---------|-----------|---------|
| <b>Efficiency</b>                                                                                |         |           |         |
| Percentage of "major" applications determined within time periods required                       | >60     | 50.1-59.9 | <50     |
| Average time taken to determine "major" applications in days                                     | Not set | Not set   | Not set |
| Percentage of all applications determined within time periods required                           | >80     | 70.1-79.9 | <70     |
| Average time taken to determine all applications in days                                         | <67     | 67-111    | 112+    |
| Percentage of Listed Building Consent applications determined within time periods required       | 80+     | 70.1-79.9 | <70     |
| <b>Quality</b>                                                                                   |         |           |         |
| Percentage of Member made decisions against officer advice                                       | <5      | 5-9       | 9+      |
| Percentage of appeals dismissed                                                                  | >66     | 55.1-65.9 | <55     |
| Applications for costs at Section 78 appeal upheld in the reporting period                       | 0       | 1         | 2+      |
| <b>Engagement</b>                                                                                |         |           |         |
| Does the local planning authority allow members of the public to address the Planning Committee? | Yes     |           | No      |

| WALES<br>AVERAGE<br>2018/19 | Monmouths<br>hire LPA<br>2020/21 | Monmouths<br>hire LPA<br>2021/22 |
|-----------------------------|----------------------------------|----------------------------------|
|                             |                                  |                                  |
| 68                          | 78                               | 100                              |
| 232                         | 248                              | 116                              |
| 88                          | 91                               | 81                               |
| 77                          | 92                               | 106                              |
| 75                          | 88                               | 72                               |
|                             |                                  |                                  |
| 9                           | 6                                | 5                                |
| 68                          | 100                              | 70                               |
| 0                           | 0                                | 1                                |
|                             |                                  |                                  |
| Yes                         | Yes                              | Yes                              |

| MEASURE for 2021/22 APR                                                                                                                                                                        | GOOD | FAIR      | IMPROVE |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|-----------|---------|
| Does the local planning authority have an officer on duty to provide advice to members of the public?                                                                                          | Yes  |           | No      |
| Does the local planning authority's web site have an online register of planning applications, which members of the public can access, track their progress (and view their content)?          | Yes  | Partial   | No      |
| <b>Enforcement</b>                                                                                                                                                                             |      |           |         |
| Percentage of enforcement cases investigated (determined whether a breach of planning control has occurred and, if so, resolved whether or not enforcement action is expedient) within 84 days | >80  | 70.1-79.9 | <70     |
| Average time taken to take positive enforcement action                                                                                                                                         | <100 | 101-200   | 200+    |

| WALES<br>AVERAGE<br>2018/19 | Monmouths<br>hire LPA<br>2020/21 | Monmouths<br>hire LPA<br>2021/22 |
|-----------------------------|----------------------------------|----------------------------------|
| Yes                         | Yes                              | Yes                              |
| Yes                         | Yes                              | Yes                              |
|                             |                                  |                                  |
| 77                          | 72                               | 55                               |
| 167                         | 199                              | 250                              |

## SECTION 1 - EFFICIENCY

| Indicator                                                                     | 05. Percentage of "major" applications determined within time periods required      |                                                                               |
|-------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|-------------------------------------------------------------------------------|
| "Good"                                                                        | "Fair"                                                                              | "Improvement needed"                                                          |
| More than 60% of applications are determined within the statutory time period | Between 50% and 60% of applications are determined within the statutory time period | Less than 50% of applications are determined within the statutory time period |

| Authority's performance                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | 100 |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|
| <p>The team's performance improved from 78% during 2020/21 to 100%. This element of the team's performance has remained strong and has always been well above the pre-pandemic Welsh average of 67.8%. We determined 4 out of 4 major applications within agreed time periods. To prioritise resources for major planning applications, planning performance agreements will be increasingly adopted with applicants for suitable planning applications, leading to better project management of these generally more complex applications.</p> |     |

| Indicator                | 06. Average time taken to determine "major" applications in days |                          |
|--------------------------|------------------------------------------------------------------|--------------------------|
| "Good"                   | "Fair"                                                           | "Improvement needed"     |
| Target to be benchmarked | Target to be benchmarked                                         | Target to be benchmarked |

| Authority's performance                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | 116 (no target set for this indicator) |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------|
| <p>The Council's performance improved substantially under this measure compared to 248 days over 2020/21.</p> <p>There were only a small number of major applications (four) determined over this period reflecting the impact of the pandemic and the lifecycle of the LDP wherein most major housing sites have now been granted consent. The very good performance reflects the effectiveness of the Council's pre-application advice process and our determination to manage these larger projects carefully, given the economic benefits they deliver.</p> <p>This figure is much better than the pre-pandemic Welsh average of 232 days. It is worth noting that the continued use of PPAs should help the team to keep this measure at a good level of performance in future years.</p> |                                        |

| Indicator                                                                     | 07. Percentage of all applications determined within time periods required          |                                                                               |
|-------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|-------------------------------------------------------------------------------|
| "Good"                                                                        | "Fair"                                                                              | "Improvement needed"                                                          |
| More than 80% of applications are determined within the statutory time period | Between 70% and 80% of applications are determined within the statutory time period | Less than 70% of applications are determined within the statutory time period |

| Authority's performance                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | 81 |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|
| <p>81% of all planning applications we dealt with were determined within the required timescales, which is above the 80% threshold for the 'Good' performance ranking. This figure declined on the 2020/21 performance of 91% this is primary due to staffing pressures within the team over this period.</p> <p>This is a good level of performance having regard to the significant impact of reduced staff to carry out the work. This figure will be monitored closely during the next reporting period to ensure it returns to the level performance of previous years (90+%).</p> |    |

| Indicator         | 08. Average time taken to determine all applications in days |                      |
|-------------------|--------------------------------------------------------------|----------------------|
| "Good"            | "Fair"                                                       | "Improvement needed" |
| Less than 67 days | Between 67 and 111 days                                      | 112 days or more     |

| Authority's performance                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | 106 days |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|
| <p>In 2020-21 we determined 1152 planning applications (24% more than the previous year), each taking, on average, 106 days (15 weeks) to determine. This is higher than the previous year (92 days) however unsurprising given the higher number of applications determined within this year, the significant impact of resources within the team and the impact of new environmental considerations such as water quality in the rivers Wye and Usk. There were 220 applications (excluding householder and non-material minor amendment applications) that were delayed due to water quality considerations during this period, with the average time taken to determine those applications being 143 this undoubtedly has increased the average overall figure.</p> <p>The team aims to focus on outcome rather than speed, this is a fair level of performance however it is fully appreciate we needs to improve this period. We have an action (no. 5) in place to address this measure and improve end-to-end times for our customers and look at ways to improve the process for applications that need to consider water quality impacts on on the rivers Wye and Usk.</p> |          |

| Indicator | 08a. Percentage of Listed Building Consent applications determined within time periods required |
|-----------|-------------------------------------------------------------------------------------------------|
|-----------|-------------------------------------------------------------------------------------------------|

|                          |                          |                             |
|--------------------------|--------------------------|-----------------------------|
| <b>“Good”</b>            | <b>“Fair”</b>            | <b>“Improvement needed”</b> |
| Target to be benchmarked | Target to be benchmarked | Target to be benchmarked    |

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |           |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|
| <b>Authority’s performance</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | <b>72</b> |
| <p>This is the fifth year of its inclusion as an indicator and the performance has improved since its first where 67% of applications for listed building consent were determined within agreed timescales. The performance declined compared to the previous reporting period (88%) due to reduced staff capacity. This has now been addressed and by July 2022, the team was back to full capacity. The Council’s Heritage team has worked hard at improving its turnaround of listed building applications. The team of four officers (including a monitoring officer) also contributes to the pre-application advice process, the handling of appeals and provides consultation responses on planning applications in conservation areas. A similar service is also provided for Blaenau Gwent CBC. The Authority has Cadw accredited delegation arrangements for grade II* and II buildings.</p> |           |

## SECTION 2 - QUALITY

| Indicator                 | 09. Percentage of Member made decisions against officer advice |                         |
|---------------------------|----------------------------------------------------------------|-------------------------|
| "Good"                    | "Fair"                                                         | "Improvement needed"    |
| Less than 5% of decisions | Between 5% and 9% of decisions                                 | 9% or more of decisions |

| Authority's performance                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | 5 |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|
| <p>Monmouthshire's performance shows that 5% of Committee decisions go against officer recommendation, which equated to just one planning application out of 18 determined at committee during 2021/22. This was slightly lower than the 6% figure over the previous reporting period and must be seen in the context that these are low numbers.</p> <p>This compares favourably to the 9% average in Wales over 2018/19.</p> <p>Provided that Committee decisions are based on good planning judgement and material planning considerations, overturned recommendations are a perfectly acceptable part of the planning process. The difficulty only arises where decisions are made that cannot be substantiated at appeal.</p> <p>The one overturned applications in question related to:<br/>A proposed detached infill dwelling in Rogiet (DM/2021/00724) that was recommended for approval by officers but was refused by Members owing to the adverse impact of the proposal on the amenity of the neighbouring occupiers and the over-development of the plot that did not provide a positive response to placemaking, creating an incongruous feature in the streetscene.</p> <p>The decision was not appealed. It should be noted that all appeals are reported to committee so that Members can review and learn from such decisions.</p> |   |

| Indicator                                                                            | 10. Percentage of appeals dismissed                                           |                                                                         |
|--------------------------------------------------------------------------------------|-------------------------------------------------------------------------------|-------------------------------------------------------------------------|
| "Good"                                                                               | "Fair"                                                                        | "Improvement needed"                                                    |
| More than 66% (two thirds) of planning decisions are successfully defended at appeal | Between 55% and 66% of planning decisions are successfully defended at appeal | Less than 55% of planning decisions are successfully defended at appeal |

| Authority's performance                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | 70 |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|
| <p>This year saw a very good level of performance that saw us 'win' 7 out of the ten appeals determined over this period. Although this declined from 100% in 2020/21 that earlier performance is very difficult to replicate and 70% reflects a Good level of performance. The placemaking agenda set out in Planning Policy Wales appears to be providing a higher benchmark for appeal Inspectors' decisions which is helpful to our decision making process. The decisions are reviewed in the Planning Service's monthly Policy / DM Liaison meetings as well as at Planning Committee and detailed issues are shared and discussed.</p> <p>The proportion of appeals we deal with is low at 0.9 appeals for every 100 applications received (Welsh average was 2 appeals per 100 applications determined in 2018/19). This indicates the effectiveness of our pre-application advice service, our willingness to negotiate proposals to a positive outcome and the strength of our policy framework.</p> |    |

| Indicator                                                    | 11. Applications for costs at Section 78 appeal upheld in the reporting period |                                                                            |
|--------------------------------------------------------------|--------------------------------------------------------------------------------|----------------------------------------------------------------------------|
| "Good"                                                       | "Fair"                                                                         | "Improvement needed"                                                       |
| The authority has not had costs awarded against it at appeal | The authority has had costs awarded against it in one appeal case              | The authority has had costs awarded against it in two or more appeal cases |

| Authority's performance                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 1 |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|
| <p>One award of costs for unreasonable behaviour was made against us this year.</p> <p>This partial award of costs related to an appeal (planning application DM/2019/01004) for new retirement apartments on the site of a large single dwelling plot in Llanfoist. While officers had recommended approval, Members resolved to refuse the application for reasons relating to:</p> <ul style="list-style-type: none"> <li>- Adverse effect on the character of the area;</li> <li>- Detrimental impact on residential amenity;</li> <li>- Harm to the setting of the Blaenavon World Heritage Site.</li> </ul> <p>The Local Member took an active part in the appeal assisted by officers. The Inspector found that the Council had not provided sufficient evidence to support the second and third reason and thus awarded a partial award of costs.</p> |   |



An action identified in the first APR was to report appeal decisions to Planning Committee every month for learning and discussion. This action is well established and has been welcomed by the Committee as a useful learning exercise. Committee members are also encouraged to sit in on appeal hearings or inquiries as further development training and to assist the case officer. The Council's protocol is that nominated members help to present the case where a decision is contrary to the officer recommendation.

## SECTION 3 – ENGAGEMENT

| Indicator                                                        | 12. Does the local planning authority allow members of the public to address the Planning Committee? |                                                                      |
|------------------------------------------------------------------|------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------|
| <b>“Good”</b>                                                    |                                                                                                      | <b>“Improvement needed”</b>                                          |
| Members of the public are able to address the Planning Committee |                                                                                                      | Members of the public are not able to address the Planning Committee |

| Authority’s performance                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Yes |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|
| <p>Monmouthshire has an established and effective Public Speaking Protocol and also allows applicants, objectors, supporters and community and town councils to speak at the Delegation Panel (conducted by Teams). This has proven to be a valuable exercise in terms of making informed decisions and improved customer and community satisfaction, even if the final decision is not the one they hoped for. During 2020-22 Committee meetings continued successfully in a virtual manner due to the pandemic, and the public speaking element has been assimilated into this process through use of videos, audios or transcripts, the latter being read out by an officer, which allow continuity of participation. The meeting has developed into a ‘hybrid’ meeting (part in person/ part virtual) during later 2022.</p> <p>The Size and Composition of Local Planning Authority Committees (Wales) Regulations 2017 did not seek to control the public speaking element of a planning committee. If any future national protocol seeking consistency throughout Wales is published it is hoped it is provided as best practice guidance and does not curtail the successful delegation and public speaking systems we already employ.</p> |     |

| Indicator                                                          | 13. Does the local planning authority have an officer on duty to provide advice to members of the public? |                                             |
|--------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------|---------------------------------------------|
| <b>“Good”</b>                                                      |                                                                                                           | <b>“Improvement needed”</b>                 |
| Members of the public can seek advice from a duty planning officer |                                                                                                           | There is no duty planning officer available |

| Authority’s performance                                                                                                                                                                                                          | Yes |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|
| <p>We have a duty officer available every day from 9am to 5pm and although this is resource intensive, we recognise from feedback to previous customer satisfaction surveys that this is a service that the customer values.</p> |     |

| Indicator                          | 14. Does the local planning authority's web site have an online register of planning applications, which members of the public can access track their progress (and view their content)? |                                                         |
|------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------|
| "Good"                             | "Fair"                                                                                                                                                                                   | "Improvement needed"                                    |
| All documents are available online | Only the planning application details are available online, and access to other documents must be sought directly                                                                        | No planning application information is published online |

| Authority's performance                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Yes |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|
| <p>Our public access element allows customers to view all public documents and plans relating to applications including officer reports and decision notices, and also allows customers to comment online.</p> <p>We implemented upgrades to the back office and public access systems at the end of the reporting period which has improved the customer experience and has enabled better GDPR compliance. The automated system has allowed officers to carry out work of greater value such as determining applications for pre-application advice and planning applications.</p> <p>Navigational and functional improvements to the Idox public access module (e.g. to enable a customer to track changes to an application) were actioned during the previous reporting period.</p> |     |

## SECTION 5 – ENFORCEMENT

| Indicator                                                      | 15. Percentage of enforcement cases investigated (determined whether a breach of planning control has occurred and, if so, resolved whether or not enforcement action is expedient) within 84 days |                                                                |
|----------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------|
| “Good”                                                         | “Fair”                                                                                                                                                                                             | “Improvement needed”                                           |
| More than 80% of enforcement cases are investigated in 84 days | Between 70% and 80% of enforcement cases are investigated in 84 days                                                                                                                               | Less than 70% of enforcement cases are investigated in 84 days |

| Authority’s performance                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | 55 |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|
| <p>This had been an area of disappointing performance and compared poorly to the Welsh average of 76.3% in 2018/19 when it was 65%. The appointment of a new Area Team Manager who manages the enforcement section saw the commencement of a systems review of the enforcement function in 2018/19. This measure rose to 75% over 2019/20 and remained reasonable at 72% during 2020/21 despite the substantial challenges presented by having fewer staff resources during the reporting period (through redeployment as a result of the pandemic, family bereavement and illness).</p> <p>While key changes to working processes were put on place by December 2019, progress on this measure stalled during the reporting period due to significant changes to the team (and lengthy vacancies before posts were filled). The team returned to full capacity at the end of 2021/22 and we will monitor this measure carefully to ensure we have the right resource in place to improve our customers’ experience of this element of the service. Thus the action to closely monitor the performance of the Enforcement Team is retained for a further 12 month period.</p> <p>It should be noted that the improvement measures within the enforcement team and the team being fully resourced is having an impact and last quarter (July -September 2022) the percentage of enforcement cases investigated within 84 days was 74.3% which would result in an amber (fair) rating rather than the 21/22 red improve rating. The team will continue to work to achieve the “good rating”.</p> |    |

| Indicator                | 16. Average time taken to take positive enforcement action |                          |
|--------------------------|------------------------------------------------------------|--------------------------|
| “Good”                   | “Fair”                                                     | “Improvement needed”     |
| Target to be benchmarked | Target to be benchmarked                                   | Target to be benchmarked |

| Authority’s performance                                                                                                                                                                                                                                                                      | 250 |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|
| <p>This indicator improved significantly during 2019/20 (it fell to 142 days) and was below the Welsh average of 165 days (2018/19) but declined over the pandemic period to 199 days. It is not surprising that given the considerable challenges the small enforcement team faced over</p> |     |

2021/22 that this end to end performance measure has declined to 250 days. The systematic review of the enforcement service will continue into the next 12 months to seek to omit waste, poor working practices and find smarter ways of working to reduce this time to a more acceptable level for our customers.